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## PART I



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This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

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It contains typical legal references which require further citing. The official published volumes in which the citations may be found

are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been included. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

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H.R. 3577..... Pub. L. 93-17  
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Clean Air Act, extension (Apr. 9, 1973; 87 Stat. 11)

H.R. 5446..... Pub. L. 93-14  
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H.J. Res. 5..... Pub. L. 93-16  
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The President Vetoed H.R. 3298, Rural water-sewer grant program. Message dated April 5, 1973.

# Presidential Documents

PROCLAMATION 4210

## Modifying Proclamation 3279, Relating to Imports of Petroleum and Petroleum Products, Providing for the Long-Term Control of Imports of Petroleum and Petro- leum Products Through a System of License Fees and Providing for Gradual Reduction of Levels of Imports of Crude Oil, Unfinished Oils and Finished Products

*By the President of the United States of America*

### A Proclamation

The Chairman of the Oil Policy Committee maintains a constant surveillance of imports of petroleum and its primary derivatives in respect to the national security.

He informs me that, in the course of his surveillance, he has reviewed the status of imports under Proclamation 3279,<sup>1</sup> as amended, of petroleum and its primary derivatives in their relation to the national security and that further Presidential action under section 232 of the Trade Expansion Act of 1962, as amended, is required.

He recommends, after consultation with the Oil Policy Committee, that the method of adjusting imports of petroleum and petroleum products be modified by immediately suspending tariffs on imports of petroleum and petroleum products and by shifting to a system whereby fees for licenses covering such imports shall be charged and whereby such fees may be adjusted from time to time, as required in order to discourage the importation into the United States of petroleum and petroleum products in such quantities or under such circumstances as to threaten to impair the national security; to create conditions

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<sup>1</sup> 24 FR 1781; 3 CFR, 1959-1963 Comp., p. 11.

favorable, in the long range, to domestic production needed for projected national security requirements; to increase the capacity of domestic refineries and petro-chemical plants to meet such requirements; and to encourage investment, exploration, and development necessary to assure such growth.

The Chairman informs me further, that the levels of imports heretofore fixed in calendar year 1973, with respect to Districts I-IV, District V, and Puerto Rico, reflect application of the established policy that for each such area the maximum level of imports shall be the difference between estimated supply and estimated demand, and that he finds that such levels of imports should be continued to be permitted without payment of the fees otherwise provided for in this proclamation.

I agree with the recommendations of the Chairman, and I deem it necessary and consistent with the national security objectives of the Trade Expansion Act of 1962, as amended, that provision be made for a gradual transition from the existing quota method of adjusting imports of petroleum and petroleum products to a long-term program for adjustment of imports of petroleum and petroleum products through the suspension of existing tariffs and the institution of a system of fees applicable to imports of crude oil, unfinished oils, and finished products, which fees may be adjusted from time to time.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and laws of the United States, including section 232 of the Trade Expansion Act of 1962, do hereby proclaim that, effective as of this date, that portion of Proclamation 3279, as amended, beginning with section 1 thereof, is hereby amended to read as follows:

"SEC. 1(a) In Districts I-IV, in District V, and in Puerto Rico, no crude oil, unfinished oils, or finished products may be entered for consumption or withdrawn from warehouse for consumption, except (1) by or for the account of a person to whom a license has been issued by the Secretary of the Interior pursuant to an allocation made to such person by the Secretary in accordance with regulations issued by the Secretary, and such entries or withdrawals may be made only in accordance with the terms of such license, or (2) as authorized by the Secretary pursuant to paragraph (b) of this section, or (3) as to finished products, by or for the account of a department, establishment, or agency of the United States, which shall not be required to have such a license but which shall be subject to the provisions of paragraph (c) of this section, or (4) as provided in paragraph (c) of this section, or (5) as otherwise provided in this proclamation.

(b) The Secretary of the Interior may, in his discretion, authorize entries, without allocation or license, of small quantities of crude oil, unfinished oils, or finished products.

(c) In Districts I-IV, District V, and in Puerto Rico, no department, establishment, or agency of the United States shall without prior payment of the fees provided for in this proclamation, import finished products in excess of the respective allocations made to them by the Secretary of the

Interior. Such allocations shall, except as otherwise provided in this proclamation, be within the maximum levels of imports established in section 2 of this proclamation.

(d) The Secretary may, by regulation, provide that no allocation or license shall be required in connection with the transportation to the United States by pipeline through a foreign country of crude oil, unfinished oils, or finished products produced in the customs territory of the United States or, in the event of commingling with foreign oils of like kind and qualities incidental to such transportation, of quantities equivalent to the quantities produced in and shipped from such customs territory."

"SEC. 2(a) Except as otherwise provided in this proclamation, the maximum level of imports, from sources other than Canada and Mexico which may be made without prior payment of the fees provided in this proclamation, of crude oil, unfinished oils, and finished products (other than residual fuel oil to be used as fuel) shall be:

(1) for Districts I-IV, 1,992,000 average barrels per day per calendar year: *Provided*, That, in addition to the foregoing, there may be imported into District I an average of 50,000 barrels per day of No. 2 fuel oil, manufactured in the Western Hemisphere from crude oil produced in the Western Hemisphere under allocations made by the Secretary, pursuant to regulations of the Secretary, to deepwater terminal operators currently receiving allocations and who do not have crude oil import allocations into Districts I-IV; *Provided Further*, That, whenever the Chairman of the Oil Policy Committee finds that, because of supply, price, or other considerations, the requirement that No. 2 fuel oil be manufactured in the Western Hemisphere from crude oil produced in the Western Hemisphere is unduly restricting the availability of such oil for importation into District I and is not required for the national security, he shall so advise the Secretary who shall then suspend such requirement by appropriate regulation. No such suspension shall be renewed except upon a new finding by the Chairman as required by the preceding sentence; *Provided Further*, That, the Secretary may, by regulation, provide that a holder of an allocation for the importation of No. 2 fuel oil may import crude oil produced in the Western Hemisphere in lieu of No. 2 fuel oil, barrel for barrel, and exchange such crude oil for No. 2 fuel oil.

(2) for District V, 670,000 average barrels per day per calendar year.

(3) for Puerto Rico 227,221 average barrels per day per year commencing April 1, 1973; *Provided*, That no person who manufactures in Puerto Rico No. 2 fuel oil from crude oil produced in the Western Hemisphere shall incur a reduction of an allocation or be deemed to have violated a condition of an allocation by reason of a shipment of such oil to a person who holds an allocation of imports of No. 2 fuel oil into District I and who does not have a crude oil import allocation into District I; *Provided Further*, That, this limitation shall not apply to long-term allocations of imports into Puerto Rico.

(4) for District I, 2,900,000 average barrels per day per year, commencing April 1, 1973, of residual fuel oil to be used as fuel.

(5) for Districts II-IV; 42,000 average barrels per day per calendar year of residual fuel oil to be used as fuel.

(6) for District V, 75,600 average barrels per day per calendar year of residual fuel oil to be used as fuel.

(b) Imports of asphalt, ethane, propane, and butanes shall not be subject to the levels established in this proclamation nor shall any allocation or license be required for their importation.

(c) Crude oil may be imported into District I to be topped for use as burner fuel under such conditions as the Secretary may, by regulation, provide. The quantities of crude oil, unfinished oils, and finished products that may be imported into the United States under the provisions of this proclamation shall not be reduced by reason of imports of crude oil used as fuel under this paragraph.

(d) (1) Except as otherwise provided in this proclamation, the maximum levels of imports from Canada of crude oil and unfinished oils to which license fees are not applicable shall be:

(i) for Districts I-IV, 960,000 average barrels per day per calendar year; *Provided*, That, the Secretary may, within the limits established by subparagraph (1) of paragraph (a) of this section, increase the quantity of crude oil, unfinished oils, and finished products which may be imported from Canada so long as such increase is consonant with the purposes of this proclamation.

(ii) for District V, 280,000 average barrels per day per calendar year; *Provided*, That, the Secretary may, within the limits established by subparagraph (1) of paragraph (a) of this section, increase the quantity of crude oil, unfinished oils, and finished products which may be imported from Canada so long as such increase is consonant with the purposes of this proclamation.

(2) Entries for consumption of imports from Canada by pipeline may be made until midnight January 15 of the calendar year following the calendar year in which any license authorizing such imports from Canada was issued.

(e) Except as otherwise provided in this proclamation, the maximum level of imports from Mexico of crude oil produced in Mexico and unfinished oils and finished products produced in Mexico wholly from Mexican crude oil shall be 32,500 average barrels per day per calendar year.

(f) The levels established, and the total demand referred to, in this section do not include free withdrawals by persons pursuant to section 309 of the Tariff Act of 1930, as amended (19 U.S.C. 1309), or petroleum supplies for vessels or aircraft operated by the United States between points referred to in said section 309 (as to vessels or aircraft, respectively) or between any point in the United States or its possessions and any point in a foreign country."

"Sec. 3(a) Effective May 1, 1973, the Secretary shall, by regulation, establish a system of fees for licenses issued under allocations of imports of crude oil, unfinished oils, and finished products, over the above levels

of imports established by section 2 of this proclamation. Such regulations shall require, among other appropriate provisions, that such fees shall be:

FEE SCHEDULE  
[Cents per barrel]

	May 1, 1973	Nov. 1, 1973	May 1, 1974	Nov. 1, 1974	May 1, 1975	Nov. 1, 1975
Crude	10½	13	15½	18	21	21
Motor gasoline	52	54½	57	59½	63	63
All other finished products and unfinished oils (except ethane, propane and butanes)	15	20	30	42	52	63

*Provided*, That, license fees paid for imports of crude oil or unfinished oils will be refunded to the extent that such crude oils or unfinished oils have been incorporated into petrochemical or finished products subsequently exported or that asphalt as defined in this proclamation was produced from the imported feedstocks.

(b) Except for allocation and licenses to which the license fee is not applicable, applications for allocations of imports of crude oil, unfinished oils, or finished products shall be accompanied by the applicant's certified check or a cashier's check payable to the order of the Treasurer of the United States in the appropriate amount chargeable pursuant to this section. Applications not accompanied by a certified or cashier's check in the amount required shall not be considered.

(c)(1) All monies received by the Secretary under the terms of paragraph (b) of this section shall be held by the Secretary of the Interior in a suspense account and may be drawn upon by the Secretary for the payment of any refunds of refundable license fees and for payments to Puerto Rico of sums collected by way of license fees for imports into Puerto Rico. Balances remaining in such suspense account not required for payment hereinabove provided shall be deposited at the end of each fiscal year in the Treasury of the United States and credited to miscellaneous receipts.

(2) Refunds pursuant to subparagraph (1) of paragraph (c) of this section shall be made without interest."

"SEC. 4(a) The Secretary of the Interior is hereby authorized to issue regulations for the purpose of implementing this proclamation.

(b)(1) With respect to the allocation of imports of crude oil and unfinished oils into Districts I-IV and into District V, such regulations shall provide for a fair and equitable distribution of allocations of imports for which license fees are not applicable among eligible persons having refinery capacity in relation to refinery inputs or in relation to storage capacities of such allocation holders. The Secretary may, by regulation, also provide for the making of allocations of imports for which license fees are not applicable, of crude oil and unfinished oils into Districts I-IV and into District V to persons having petrochemical plants in these districts in relation to the outputs of such plants or in relation to inputs to such plants. Provision may be made in the regulations for the making of such allocations on the basis of graduated scales. Notwithstanding the levels prescribed in section 2 of this proclamation, the Secretary may also by regulation make such provisions as

he deems consonant with the objectives of this proclamation for the making of allocations of imports of crude oil and unfinished oils to which the license fee is not applicable into Districts I-IV and into District V to persons who manufacture from crude oil and unfinished oils and who export finished products and petrochemicals, subject to such designations as the Secretary may make. Notwithstanding the levels established in section 2 of this proclamation the Secretary may make allocations to which license fees shall not be applicable to new, expanded, or reactivated refinery capacity and petrochemical plants for a period of five years from the date such facility comes on stream. Such allocations shall not exceed 75 percent of estimated refinery inputs or the percentage of petrochemical plant inputs applicable.

(2) Such regulations shall provide for the allocations of imports with respect to which license fees are not applicable of crude oil and unfinished oils into Puerto Rico among persons having refinery capacity in Puerto Rico in the calendar year 1964 on the basis of the allocation of crude and unfinished oils received by such persons for the allocation period commencing April 1, 1973; *Provided, That*, in respect of imports for which license fees are applicable, license fees paid for imports of crude oil and unfinished oils into Puerto Rico will be refunded to the extent that such crude oil or unfinished oils have been incorporated into finished products consumed in Puerto Rico or petrochemicals or finished products exported therefrom.

(3) Except for crude oil or unfinished oils imported under license or licenses for which a fee has been charged, or pursuant to specific relief granted pursuant to section 5, such regulations shall require that imported crude oil and unfinished oils be processed in the licensee's refinery or petrochemical plant, except that exchanges for domestic crude or unfinished oils may be made, if otherwise lawful, if effected on a current basis and reported in advance to the Secretary, and if the domestic crude or unfinished oils are processed in the licensee's refinery or petrochemical plant.

(4) With respect to the allocation of imports of finished products (other than residual fuel oil to be used as fuel) in respect of which license fees are not applicable into Puerto Rico, such regulations shall provide, to the extent possible for a fair and equitable distribution of imports of such finished products among persons who were importers of such finished products into Puerto Rico during all or part of the calendar year 1958, or such higher level as the Secretary may have determined to be required to meet demand in Puerto Rico for finished products that would not otherwise have been met, during the calendar year 1973.

(5) With respect to the allocation of imports to which license fees are not applicable of residual fuel oil to be used as fuel in Puerto Rico, such regulations shall, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel among persons who were importers of that product into Puerto Rico during all or part of the calendar year 1958. In addition, the Secretary by regulation may, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel, the maximum sulphur content of which is acceptable to the Secretary (i) among persons who are in the business in the respective districts or Puerto Rico of



selling residual fuel oil to be used as fuel and who had inputs of that product to deepwater terminals located in the respective districts or Puerto Rico and (ii) among persons who are in the business in the respective districts or Puerto Rico of selling residual fuel oil to be used as fuel and who have throughput agreements (warehouse agreements) with deepwater terminal operators. With respect to the allocation of imports into District I of residual fuel oil to be used as fuel, such regulations shall, to the extent possible, provide for a fair and equitable distribution of imports of residual fuel oil to be used as fuel (i) among persons who are in the business in District I of selling residual fuel oil to be used as fuel and who have had inputs of that product to deepwater terminals located in District I, and (ii) among persons who are in the business in District I of selling residual fuel oil to be used as fuel and have throughput agreements (warehouse agreements) with deepwater terminal operators. With respect to the allocation of imports of residual fuel oil to be used as fuel into District I, Districts II-IV, District V, and Puerto Rico, such regulations shall also provide, to the extent possible, for the granting of allocations of imports of residual fuel oil to be used as fuel in accordance with procedures established pursuant to section 5 of this proclamation.

(c) Such regulations may provide for the revocation or suspension by the Secretary of any allocation or license on grounds relating to the national security, or the violation of the terms of this proclamation, or of any regulation, allocation, or license issued pursuant to this proclamation.

(d) For the balance of the calendar year 1973, notwithstanding the levels established in section 2 of this proclamation and the provisions of paragraph (b) of this section, the Secretary may provide by regulation for additional allocations of imports in respect of which license fees are not applicable of crude oil and unfinished oils to persons in District I-IV, and District V who manufacture in the United States residual fuel oil to be used as fuel, the maximum sulphur content of which is acceptable to the Secretary, in consultation with the Secretary of Health, Education, and Welfare. These allocations to each of such persons shall not exceed the amount of such residual fuel oil manufactured by that person."

"Sec. 5(a) The Secretary of the Interior is authorized to provide for the establishment and operation of an Appeals Board to consider petitions by persons affected by the regulations issued pursuant to this proclamation. The Appeals Board shall be comprised of a representative each from the Departments of the Interior, Justice, and Commerce to be designated respectively by the heads of such Departments.

(b) The Appeals Board may be empowered, subject to the general direction of the Chairman of the Oil Policy Committee, (1) within the limits of the maximum levels of imports established in this proclamation, to modify on the grounds of error any allocation made to any person under such regulations; (2) without regard to the limits of the maximum levels of imports established in this proclamation, (i) to modify, on the grounds of exceptional hardship, any allocation with respect to which license fees are not applicable made to any person under such regulations; (ii) to grant allocations of imports to which license fees will not be applicable of crude oil and unfinished oils in special circumstances to persons with importing histories who do not qualify for allocations under

such regulations; and (iii) to grant allocations of imports, to which license fees shall not be applicable, of finished products on the grounds of exceptional hardship; and to assure that adequate supplies of crude oil, unfinished oils, and finished products are made available to independent refiners or established marketers who are experiencing exceptional hardship or in emergencies requiring, in its judgment, the grant of allocations to them, and (3) to review the revocation or suspension of any allocation or license. The Secretary may provide that the Board may take such action on petitions as it deems appropriate and that the decisions by the Appeals Board shall be final.

(c) Effective April 30, 1980, the jurisdiction of the Oil Import Appeals Board shall expire."

"SEC. 6 Persons who apply for allocations of crude oil, unfinished oils, or finished products, persons to whom such allocations have been made, and persons who hold such allocations shall furnish to the Secretary of the Interior such information and shall make such reports as he may require, by regulations or otherwise, in the discharge of his responsibilities under this proclamation."

"SEC. 7 The Chairman of the Oil Policy Committee shall provide policy direction, coordination, and surveillance of the oil import control program, including approval of regulations issued pursuant to this proclamation. He shall perform those functions after receiving the advice of the Oil Policy Committee and in accordance with guidance from the Assistant to the President with responsibility in the area of economic affairs."

"SEC. 8 The Oil Policy Committee shall consist of the Deputy Secretary of the Treasury, as Chairman, and the Secretaries of State, Defense, Interior, and Commerce, the Attorney General, and the Chairman of the Council of Economic Advisers, as members. The President may, from time to time, designate other officials to serve as members of the Committee. The Chairman may create subcommittees of the Committee to study and report to the Committee concerning specified subject matters."

"SEC. 9 The Oil Policy Committee shall consult with and advise the Chairman on oil import policy, including the operation of the control program under Proclamation 3279, as amended, and on recommendations for changes in the program by the issuance of new proclamations with respect to it, or otherwise."

"SEC. 10 The Chairman of the Oil Policy Committee shall from time to time, as in his judgment is required, review the status of imports of petroleum and its primary derivatives in respect to the national security, and, after consultation with the Oil Policy Committee, he shall inform the President of any circumstances which, in the Chairman's opinion, might indicate the need for further Presidential action under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862), as amended. In the event prices of crude oil or its products or derivatives should be increased after the effective date of this proclamation, beyond the limits contemplated by the Cost of Living Council, such review may include a determination as to whether such increase or increases are necessary to accomplish the national security objectives of section 232 of the Trade Expansion Act of 1962, as amended, and this proclamation."

"SEC. 11 Annually, beginning May 1, 1974, the maximum levels of imports subject to allocation and license, to which license fees shall not be applicable, shall be reduced as follows:

For the year commencing May 1, 1974, the maximum levels of such imports shall be ninety percent (90%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1975, the maximum levels of such imports shall be eighty percent (80%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1976, the maximum levels of such imports shall be sixty-five percent (65%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1977, the maximum levels of such imports shall be fifty percent (50%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1978, the maximum levels of such imports shall be thirty-five percent (35%), in barrels per day, of the levels established during the calendar year 1973;

For the year commencing May 1, 1979, the maximum levels of such imports shall be twenty percent (20%), in barrels per day, of the levels established during the calendar year 1973.

Effective April 30, 1980, the system of issuing allocations and licenses not subject to license fee shall be abolished;

*Provided, That, with respect to any allocation period expiring prior to May 1, 1974, such allocation period shall be extended to April 30, 1974, and the Secretary shall issue appropriate regulations to issue additional oil import licenses to reflect such extension."*

"SEC. 12(a) Commitments and obligations contained in long-term allocations heretofore made of imports of crude oil into Puerto Rico shall be unimpaired by this proclamation or regulations issued thereunder.

(b) Commitments and obligations contained in that certain allocation made to Hess Oil and Chemical Corporation of imports of finished products into Districts I-IV, dated December 12, 1967, effective January 1, 1968, shall be unimpaired by this proclamation or regulations issued thereunder."

"SEC. 13 The Secretary of the Interior may delegate, and provide for successive redelegation of, the authority conferred upon him by this proclamation. All departments and agencies of the Executive Branch of the Government shall cooperate with and assist the Secretary of the Interior in carrying out the purposes of this proclamation."

"SEC. 14 Executive Order 1.0761 of March 27, 1958, entitled "Government Purchases of Crude Petroleum and Petroleum Products" (23 FR 2067) is revoked."

"SEC. 15 As used in this proclamation:

(a) "Person" includes an individual, a corporation, firm, or other business organization or legal entity, and an agency of a state, territorial or local government, but does not include a department, establishment, or agency of the United States.

(b) "District I" means the states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, and the District of Columbia.

(c) "Districts II-IV" means all of the states of the United States except those states within District I and District V.

(d) "Districts I-IV" means the District of Columbia and all of the states of the United States except those states within District V.

(e) "District V" means the states of Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii.

(f) "Crude oil" means a mixture of hydrocarbons that existed in natural underground reservoirs and which is liquid at atmospheric pressure after passing through surface separating processes and does not include natural gas products. It includes the initial liquid hydrocarbons produced from tar sands, gilsonite, and oil shale.

(g) "Finished products" means any one or more of the following petroleum oils, or a mixture or combination of such oils, or any component or components of such oils which are to be used without further processing by any one or more of the processes described in subparagraphs (1) through (3) of paragraph (h) of this section, and which, as of January 1, 1973, under the Tariff Schedules of the United States, were not subject to a duty of more than one cent (\$0.01) per pound of the hydrocarbons therein contained:

(1) The term "liquefied gases" means the following liquefied or liquefiable gases, namely, ethane, propane, butanes, ethylene, propylene, and butylenes which are derived by refining or other processing of natural gas, crude oil, or unfinished oils.

(2) "Gasoline" means a refined petroleum distillate, including naphtha, jet fuel or other petroleum oils (but not isoprene or cumene having a purity of 50 percent or more by weight, or benzene which meets the ASTM distillation standards for nitration grade) derived by refining or processing crude oil or unfinished oils, in whatever type of plant such refining or processing may occur, and having a boiling range at atmospheric pressure from 80° to 400° F.

(3) "Kerosene" means any jet fuel, diesel fuel, fuel oil or other petroleum oils derived by refining or processing crude oil or unfinished oils, in whatever type of plant such refining or processing may occur, which has a boiling range at atmospheric pressure from 400° to 550° F.

(4) "Distillate fuel oil" means any fuel oil, gas oil, topped crude oil, or other petroleum oils, derived by refining or processing crude oil or unfinished oils, in whatever type of plant such refining or processing may occur, which has a boiling range at atmospheric pressure from 550° to 1200° F.

(5) "Residual fuel oil" means a petroleum oil, which is (i) any topped crude or viscous residuum of crude or unfinished oils or one or more of the petroleum oils defined in subparagraphs (2) through (4) of this paragraph (g), which has a viscosity of not less than 45 seconds Saybolt Universal at 100° F. to be used as fuel without further processing other than by mechanical blending or (ii) crude oil to be used as fuel without further processing other than by blending by mechanical means.

(6) "Asphalt" means a solid or semi-solid cementitious crude oil or derivative of crude oil, 50 percent or more of the constituents of which are bitumens, which is not to be used as fuel and which is to be used without further processing except airblowing or blending by mechanical means.

(7) "Lubricating oils" means any lubricant containing more than 50 percent by volume of refined petroleum distillates or specially treated petroleum residuum.

(8) "Natural gas products" means liquids (under atmospheric conditions), including natural gasoline, which are recovered by process of absorption, adsorption, compression, refrigeration, cycling, or a combination of such processes, from mixtures of hydrocarbons that existed in a reservoir and which, when recovered and without processing in a refinery or other plant, fall within any of the definitions of products contained in clauses (2) through (4) of this paragraph (g).

(h) "Unfinished oils" means one or more of the petroleum oils listed in clauses (1) through (4) and clause (8) of paragraph (g) of this section or a mixture or combination of such oils, or any component or components of such oils, which are to be further processed in one or more of the following ways:

(1) By distillation with a resulting yield of at least two distinct finished products or unfinished oils, two of which must be equal to not less than 10 percent of the total charge of such imported unfinished oils to a distillation unit. Different grades or specifications of finished products or unfinished oils will not constitute distinct finished products or unfinished oils for purposes of this subparagraph. Distillation of petroleum oils which have been reconstituted by blending of two or more finished products or unfinished oils does not constitute processing for the purposes of this subparagraph.

(2) By catalytic or thermal conversion in process units such as alkylation, coking, cracking, hydrofining, hydrosulfurization, polymerization, isomerization, dehydrogenation, or refining.

(3) By physical separation established by means of solvent dewaxing, solvent deasphalting, solvent extraction, or extractive distillation.

(i) As used in paragraphs (g) and (h) of this section, the term "petroleum oil" includes only hydrocarbons derived from crude oil or natural gas.

(j) The term "imports from Canada" as used in this proclamation, means entries for consumption or withdrawals from warehouse for consumption of the following items which have been transported into the United States from Canada, by overland means (pipeline, rail, or other means of overland transportation) or over waterways other than ocean

waterways, to-wit: crude oil produced in Canada, unfinished oils which have been derived from crude oil or natural gas produced in Canada, and finished products which have been produced in Canada from crude oil produced in Canada.

(k) The expression "long-term allocation" means:

(1) That certain allocation made to Commonwealth Oil Refining Company, Inc., of imports of crude and unfinished oils into Puerto Rico dated May 10, 1968—effective January 1, 1968 (as amended).

(2) That certain allocation made to Phillips Petroleum Company of imports of unfinished oils into Puerto Rico—dated December 23, 1965—effective January 1, 1966 (as amended).

(3) That certain allocation made to Sun Oil Company of imports of crude oil into Puerto Rico—effective April 18, 1968 (as amended).

(4) That certain allocation made to Union Carbide Corporation of imports of crude oil and unfinished oils into Puerto Rico—dated April 19, 1968—effective April 19, 1968.

(5) That certain allocation made to Hess Oil and Chemical Corporation of imports of finished products into Districts I-IV—dated December 12, 1967—effective January 1, 1968 (Hess Oil and Chemical Corporation now Amerada-Hess).

(1) The term "imports" includes both entry for consumption and withdrawal from warehouse for consumption."

"SEC. 16. Effective as of May 1, 1973, tariffs upon imports of petroleum and petroleum products listed in Schedule 4, Part 10—"Petroleum, natural gas, and products derived therefrom" of the Tariff Schedules of the United States shall be and are suspended."

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of April, in the year of our Lord nineteen hundred seventy-three and of the Independence of the United States of America the one hundred ninety-seventh.



[FR Doc.73-7776 Filed 4-18-73;11:29 am]

## EXECUTIVE ORDER 11712

*Special Committee on Energy and National Energy Office*

This Administration is determined to continue to develop a more comprehensive, integrated national energy policy to meet the emerging energy challenge. Many steps have been taken toward that end, including measures to increase domestic production of all forms of energy without violating our natural environment, to conserve the energy we produce, to better utilize our current resources, and to use our vast scientific and technological capacities to develop new sources and new forms of energy. I have now determined that in order to protect and promote the interests of the people of the United States as energy users, and to coordinate the policies of the executive branch in this area, it is necessary to establish a Special Committee on Energy and a National Energy Office.

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is hereby ordered as follows:

*Special Committee on Energy*

SECTION 1. Three Assistants to the President, John D. Ehrlichman, Henry A. Kissinger, and George P. Shultz, shall constitute a Special Committee on Energy. The Director of the National Energy Office shall perform his functions under this order in accordance with policies and guidance provided him by the Special Committee.

*Establishment of the Office*

SEC. 2. There is hereby established in the Executive Office of the President a National Energy Office. The Office shall be under the immediate supervision and direction of a Director who shall be designated by the President. The Director shall report to the President through the Special Committee on Energy.

*Functions of the Director*

SEC. 3. (a). The Director shall advise the President, through the Special Committee on Energy, with respect to all Federal energy programs, activities, and related matters.

(b) The Director shall recommend policies and guidelines pertaining to energy matters for all energy related programs within the Executive Branch. To the maximum extent permitted by law, Federal officers and Federal departments and agencies shall cooperate with the Director in carrying out his functions under this Order.

(c) In addition, the Director shall—

(1) assure the development of comprehensive plans and programs to insure the availability of adequate and dependable supplies of energy;

(2) assure that Federal energy policy is properly coordinated;

(3) evaluate all such programs;

## THE PRESIDENT

- (4) advise the heads of departments and agencies of his findings and recommendations, when appropriate;
- (5) make recommendations to the Director of the Office of Management and Budget concerning proposed funding of energy programs and activities;
- (6) constitute a clearinghouse for the prompt consideration of energy problems brought to his attention by Federal departments and agencies and by other public and private entities, organizations, agencies, or individuals; and
- (7) report, through the Special Committee on Energy, from time to time, to the President concerning the foregoing.

THE WHITE HOUSE,

April 18, 1973.



[FR Doc.73-7777 Filed 4-18-73;11:29 am]



# Rules and Regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

## Title 7—Agriculture

### SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

[Amdt. 5]

#### PART 6—IMPORT QUOTAS AND FEES

##### Subpart—Section 22 Import Quotas

##### CERTAIN CANADIAN CHEESES

##### Correction

In FR Doc. 73-7414 appearing at page 9427 in the issue of Monday, April 16, 1973, in the ninth line of the first paragraph, change the word "on" to read "no".

### CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Valencia Orange Regulation 427]

#### PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period April 20-April 26, 1973. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

##### § 908.727 Valencia Orange Regulation 427.

(a) *Findings.*—(1) Pursuant to the marketing agreement, as amended, and order No. 908, as amended (7 CFR part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the respective quantities of Valencia oranges that may be marketed from district 1, district 2, and district 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges is generally good with some easing on size 138 and smaller sizes. Prices, f.o.b., for Valencia oranges, averaged \$3.59 per carton on a sales volume of 387 cars for the week ended April 12, 1973, compared with \$3.46 per carton on a sales volume of 316 cars for the previous week. Track and rolling supplies at 220 cars were 78 cars from last week.

(ii) Having considered the recommendation and information submitted by the Committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of

the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such Committee meeting was held on April 17, 1973.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period April 20, 1973, through April 26, 1973, are hereby fixed as follows:

- (i) District 1: 246,000 cartons;
- (ii) District 2: 335,000 cartons;
- (iii) District 3: 220,000 cartons.

(2) As used in this section, "handled," "district 1," "district 2," "district 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.)

Dated April 18, 1973.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and  
Vegetable Division, Agricultural  
Marketing Service.

[FR Doc. 73-7796 Filed 4-18-73; 2:35 pm]

## Title 9—Animals and Animal Products

### CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND SMALL ANIMAL PRODUCTS; EXTRAORDINARY EMERGENCY REGULATION OF INTRASTATE ACTIVITIES

##### PART 3—SCABIES IN CATTLE

##### Areas Released From Quarantine

This amendment releases Armstrong, Collingsworth, Donley, Hemphill, Lipscomb, Roberts, and Wheeler Counties in Texas from the areas quarantined because of cattle scabies. Therefore, the restrictions pertaining to the interstate movement of cattle from quarantined areas contained in 9 CFR part 73, as amended, do not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 73.1a. Further, the restrictions pertaining to the interstate movement of cattle from nonquarantined areas contained in said part 73 apply to the excluded areas.

Pursuant to provisions of the act of May 29, 1884, as amended, the act of

## RULES AND REGULATIONS

February 2, 1903, as amended, the act of March 3, 1905, as amended, and the act of July 2, 1962 (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f), Part 73, Title 9, Code of Federal Regulations, restricting the interstate movement of cattle because of scabies, is hereby amended as follows:

In § 73.1a, paragraph (a) relating to the State of Texas is amended to read:

**§ 73.1a Notice of quarantine.**

(a) Notice is hereby given that cattle in certain portions of the State of Texas are affected with scabies, a contagious, infectious, and communicable disease; and therefore, the following areas in such State are hereby quarantined because of said disease:

**TEXAS**

- |                        |                         |
|------------------------|-------------------------|
| (1) Bailey County.     | (10) Hutchinson County. |
| (2) Carson County.     | (11) Lamb County.       |
| (3) Castro County.     | (12) Moore County.      |
| (4) Dallam County.     | (13) Ochiltree County.  |
| (5) Deaf Smith County. | (14) Oldham County.     |
| (6) Gray County.       | (15) Parmer County.     |
| (7) Hale County.       | (16) Potter County.     |
| (8) Hansford County.   | (17) Randall County.    |
| (9) Hartley County.    | (18) Sherman County.    |
|                        | (19) Swisher County.    |

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f; 37 FR 28464, 28477.)

**Effective date.**—The foregoing amendment shall become effective April 13, 1973.

The amendment relieves restrictions presently imposed but no longer deemed necessary to prevent the spread of cattle scabies, and should be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of April 1973.

G. H. Wise,  
Acting Administrator, Animal  
and Plant Health Inspection  
Service.

[FR Doc.73-7551 Filed 4-18-73; 8:45 am]

**PART 83—SCREWORMS**

**Interstate Movement of Livestock**

The purpose of these amendments is to revise the regulations contained in 9 CFR part 83 by deleting all references to areas of "persistent infestation," amend-

ing the list of areas of "recurring infestation" to delete the entire State of Oklahoma, a portion of the State of Texas, and portions of the States of Arizona, California, and New Mexico and to classify Puerto Rico as an area of recurring infestation on a year-round basis. Upon the effective date of these amendments, only Puerto Rico and portions of Texas will remain as areas of recurring infestation.

**Statement of considerations.**—Based on epidemiological investigation made during the past 6 months and the anticipated low incidence of screwworms in the Southwestern United States, it has been determined that the interstate movement of livestock from the entire State of Oklahoma and certain areas of Texas, Arizona, California, and New Mexico, without restrictions previously imposed, can be allowed without undue risk to the livestock of the United States. The amendments provide for the protection of livestock populations of the United States from screwworm infestations in Puerto Rico and in the 39 southernmost counties of Texas. The amendments provide relief to livestock shippers in Oklahoma and certain areas of Texas, Arizona, California, and New Mexico by enabling them to ship livestock interstate from these areas without the expense of having them inspected and treated for screwworms as heretofore required by the regulations.

Therefore, pursuant to sections 4 through 7 of the act of May 29, 1884, as amended, sections 1 and 2 of the act of February 2, 1903, as amended, sections 1 through 4 of the act of March 3, 1905, as amended, and sections 3 and 11 of the act of July 2, 1962 (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f), Part 83, Title 9, Code of Federal Regulations, is amended in the following respects:

**§ 83.1 [Amended]**

1. In § 83.1, paragraph (p) is deleted.
2. § 83.2 is amended to read:

**§ 83.2 Notice relating to existence of screwworms.**

Notice is hereby given that screwworm infestations usually exist from April 15 through November 30 of each year in the portions of the State of Texas designated in paragraph (a) of this section and during the entire year in the Commonwealth of Puerto Rico. Therefore, the following areas are hereby designated as areas of recurring infestation.

(a) *Texas.*—Aransas, Atascosa, Bandera, Bee, Bexar, Brooks, Calhoun, Cameron, De Witt, Dimmit, Duval, Edwards, Frio, Goliad, Hidalgo, Jim Hogg, Jim Wells, Karnes, Kenedy, Kinney, Kleberg, La Salle, Live Oak, McMullen, Maverick, Medina, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Val Verde, Victoria, Webb, Willacy, Wilson, Zapata, and Zavala Counties.

(b) *Puerto Rico.*—The entire Commonwealth.

3. In § 83.6, the introductory paragraph is amended to read:

**§ 83.6 Interstate movement of livestock from areas of recurring infestation.**

The interstate movement of livestock from any area of recurring infestation in the State of Texas is prohibited from April 15 through November 30 of each year, and the interstate movement of livestock from the Commonwealth of Puerto Rico is prohibited during the entire year, unless the conditions specified in paragraph (a) or (b) of this section are met. This restriction also applies to livestock transiting any area of recurring infestation.

**§ 83.6a [Deleted]**

4. § 83.6a is deleted.

**§ 83.8 [Amended]**

5. In § 83.8, the phrase "or 83.6a" is deleted.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1 through 4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f; 37 FR 28464, 28477.)

**Effective date.**—The foregoing amendments shall become effective April 10, 1973.

Insofar as the amendments impose certain further restrictions necessary to prevent the spread of screwworms, they must be made effective immediately to accomplish their purpose in the public interest. Insofar as the amendments relieve certain restrictions presently imposed, they are no longer deemed necessary to prevent the spread of screwworms and they should be made effective immediately to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of April 1973.

G. H. Wise,  
Acting Administrator, Animal  
and Plant Health Inspection  
Service.

[FR Doc.73-7550 Filed 4-18-73; 8:45 am]

**Title 14—Aeronautics and Space**

**CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION**

[Docket No. 12753, Amdt. 30-1620]

**PART 39—AIRWORTHINESS DIRECTIVES**

**S.N.I.A.S. Gazelle Model SA341G Helicopters**

Pursuant to the authority delegated to me by the Administrator, an airworthiness directive (AD) was adopted on

March 23, 1973, and made effective immediately as to all known U.S. operators of S.N.I.A.S. Gazelle Model SA341G helicopters. The directive requires periodic replacement of the shackle and pin located on the A-frame forward of the main gearbox and immediate replacement of those shackles and pins with 100 or more hours' time in service on the effective date of this AD.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the AD effective immediately as to all known U.S. operators of S.N.I.A.S. Gazelle Model SA341G helicopters by individual airmail letters dated March 23, 1973. These conditions still exist and the AD is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of part 39 of the Federal Aviation Regulations to make it effective as to all persons.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c).)

SOCIETE NATIONALE INDUSTRIELLE AEROSPATIALE. Applies to Gazelle Model SA341G Helicopters.

Compliance is required as indicated.

To prevent possible in-flight failures of the forward, upper shackle retaining the main gearbox, accomplish the following:

(a) Replace the shackle P/N 341A.38-1017.00, or P/N 341A.38.1017.01, and pin P/N 341A.31.4169.20, or P/N 341A.31.4169.21, located on the A-frame forward of the main gearbox, with a new part of the same part number as follows:

(1) For shackles and pins with 100 or more hours' time in service on the effective date of this AD, before further flight, except that the helicopter may be flown in accordance with FAR § 21.197 to a base where the work can be performed, and thereafter at intervals not to exceed 100 hours' time in service.

(2) For shackles and pins with less than 100 hours' time in service on the effective date of this AD, prior to the accumulation of 100 hours' time in service, and thereafter at intervals not to exceed 100 hours' time in service.

This amendment is effective on April 19, 1973, as to all persons except those persons to whom it was made immediately effective by the airmail letter dated March 23, 1973, which contained this amendment.

Issued in Washington, D.C., on April 13, 1973.

C. R. MELUGIN, Jr.,  
Acting Director,  
Flight Standards Service.

[FR Doc.73-7545 Filed 4-18-73;8:45 am]

[Airspace Docket No. 73-SW-2]

# PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

## Alteration of Control Zone; Correction

On March 30, 1973, FR Doc. No. 73-6063 was published in the FEDERAL REGISTER (38 FR 8244). This document

amended part 71 of the Federal Aviation Regulations and contained an alteration of the Fort Worth, Tex. (Greater Southwest International Dallas-Fort Worth Field), control zone to be effective 0901 G.m.t., July 12, 1973. Subsequent to the publication of this amendment, it was determined that the Dallas-Fort Worth Regional Airport will become operational on July 1, 1973, rather than July 12, 1973, as reflected in Document No. 73-6063. Action is taken herein to amend the effective date.

Since this amendment will impose no undue burden on any person, notice and public procedures hereon are unnecessary.

In consideration of the foregoing, FR Doc. No. 73-6063 is amended to change the effective date of airspace docket No. 73-SW-2 from 0901 G.m.t., July 12, 1973, to 0901 G.m.t., July 1, 1973.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c).)

Issued in Fort Worth, Tex., on April 11, 1973.

HENRY L. NEWMAN,  
Director, Southwest Region.

[FR Doc.73-7546 Filed 4-18-73;8:45 am]

[Docket No. 12751, Amdt: 860]

# PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

## Miscellaneous Amendments

This amendment to part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the standard instrument approach procedures (SIAP's) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAP's for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rulemaking dockets of the FAA in accordance with the procedures set forth in amendment No. 97-696 (35 FR 5609).

SIAP's are available for examination at the "Rules Docket" and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAP's adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAP's may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20591, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the

same address may be ordered for \$30 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.21 is amended by originating, amending, or canceling the following L/MF SIAP's, effective May 24, 1973:

Summit, Alaska—Summit Airport, LFR-A, amendment 7, canceled.

2. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAP's, effective May 31, 1973:

Chatham, Mass.—Chatham Municipal Airport, VOR-A, amendment 5.

Columbus-West Point-Starkville, Miss.—Golden Triangle Regional Airport, VOR-A, amendment 1.

Columbus-West Point-Starkville, Miss.—Golden Triangle Regional Airport, VOR/DME-A, amendment 1.

Corpus Christi, Tex.—Corpus Christi International Airport, VORTAC runway 35, amendment 2.

Dallas, Tex.—Dallas Love Field, VOR/DME runway 13R, original.

Dallas, Tex.—Dallas Love Field, VOR runway 18, amendment 16.

Dallas, Tex.—Dallas Love Field, VOR runway 36, amendment 8.

Monroe, Wis.—Monroe Municipal Airport, VOR/DME runway 29, amendment 1.

\* \* \* effective May 24, 1973:

Sarasota (Bradenton), Fla.—Sarasota-Bradenton Airport, VOR runway 13, amendment 10.

Sarasota (Bradenton), Fla.—Sarasota-Bradenton Airport, VOR runway 22, amendment 2.

Sarasota (Bradenton), Fla.—Sarasota-Bradenton Airport, VOR runway 31, amendment 2.

\* \* \* effective April 26, 1973:

Kinston, N.C.—Stallings Field, VOR/DME runway 4, amendment 4.

Kinston, N.C.—Stallings Field, VOR runway 22, amendment 8.

Seattle, Wash.—Seattle-Tacoma International Airport, VOR runway 16L/R, amendment 3.

Seattle, Wash.—Seattle-Tacoma International Airport, VOR runway 34L/R, amendment 4.

\* \* \* effective April 10, 1973:

Oakland, Calif.—Metropolitan Oakland International Airport, VOR/DME runway 27L, amendment 6.

3. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAP's, effective May 31, 1973.

Columbus-West Point-Starkville, Miss.—Golden Triangle Regional Airport, LOC (BC)/DME runway 36, original.

Corpus Christi, Tex.—Corpus Christi International Airport, LOC (BC) runway 31, amendment 3.

Dallas, Tex.—Dallas Love Field, LOC (BC) runway 13R, amendment 7.

Dallas, Tex.—Dallas Love Field, LOC (BC) runway 31R, amendment 20.

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\* \* \* effective April 26, 1973:

Kinston, N.C.—Stallings Field, LOC runway 4, original.  
St. Louis, Mo.—Lambert-St. Louis International Airport, LOC (BC) runway 30L, amendment 5.  
Wake Island—Wake Island Airport, LOC/DME (BC) runway 28, amendment 3, canceled.

\* \* \* effective April 6, 1973:

Louisville, Ky.—Standiford Field, LOC (BC) runway 19, amendment 9, canceled.

4. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAP's, effective May 31, 1973:

Atlanta, Ga.—The William B. Hartsfield Atlanta International Airport, NDB runways 9L and 9R, original.  
Dallas, Tex.—Dallas Love Field, NDB runway 13L/13R, amendment 7.  
Dallas, Tex.—Dallas Love Field, NDB runway 31L, amendment 6.  
Dallas, Tex.—Dallas Love Field, NDB runway 31R, amendment 10.  
Xenia, Ohio—Greene County Airport, NDB runway 25, amendment 1.

\* \* \* effective April 26, 1973:

Kinston, N.C.—Stallings Field, NDB runway 4, original.  
Seattle, Wash.—Seattle-Tacoma International Airport, NDB runway 16L/R, amendment 1.  
Seattle, Wash.—Seattle-Tacoma International Airport, NDB runway 34R, amendment 3.

\* \* \* effective April 6, 1973:

Louisville, Ky.—Standiford Field, NDB runway 1, amendment 26, canceled.

5. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAP's, effective May 31, 1973:

Dallas, Tex.—Dallas Love Field, ILS runway 13L, amendment 20.  
Dallas, Tex.—Dallas Love Field, ILS runway 31L, amendment 8.  
New York, N.Y.—John F. Kennedy International Airport, ILS runway 22L, amendment 16.

\* \* \* effective April 26, 1973:

St. Louis, Mo.—Lambert-St. Louis International Airport, ILS runway 30, original.  
Seattle, Wash.—Seattle-Tacoma International Airport, ILS runway 16R, amendment 1.  
Seattle, Wash.—Seattle-Tacoma International Airport, ILS runway 34R, amendment 4.  
Wake Island—Wake Island Airport, ILS/DME runway 10, amendment 9, canceled.

\* \* \* effective April 10, 1973:

Oakland, Calif.—Metropolitan Oakland International Airport, ILS runway 27R, amendment 25.

\* \* \* effective April 6, 1972:

Louisville, Ky.—Standiford Field, ILS runway 1, amendment 28, canceled.

6. Section 97.31 is amended by originating, amending, or canceling the following radar SIAP's, effective May 31, 1973:

Dallas, Tex.—Dallas Love Field, radar-1, amendment 18.  
Seattle, Wash.—Seattle-Tacoma International Airport, radar-1, amendment 18.

\* \* \* effective April 26, 1973:

St. Louis, Mo.—Lambert-St. Louis International Airport, radar-1, amendment 17.

7. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAP's, effective May 31, 1973:

Monroe, Wis.—Monroe Municipal Airport, RNAV runway 29, original.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1943; 49 U.S.C. 1438, 1354, 1421, 1510; sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c), 5 U.S.C. 552(a) (1).)

Issued in Washington, D.C., on April 12, 1973.

JAMES M. VINES,  
Chief,

Aircraft Programs Division.

NOTE.—Incorporation by reference provisions in §§ 97.10 and 97.20 (35 FR 5610) approved by the Director of the Federal Register on May 12, 1969.

[FR Doc. 73-7544 Filed 4-18-73; 8:45 am]

## Title 15—Commerce and Foreign Trade

### CHAPTER III—BUREAU OF INTERNATIONAL COMMERCE, DEPARTMENT OF COMMERCE

#### EXPORT REGULATIONS

##### Miscellaneous Amendments

Thirteenth general revision of the export regulations (amendment J3), parts 370, 373, 374, and 379 are amended to read as set forth below.

(50 U.S.C. App., secs. 2402(2) (B), 2403(b), and 22 U.S.C. sec. 287C.)

Effective dates.—Parts 370, 373, and 374, April 12, 1973; part 379, May 14, 1973.

RAUER H. MEYER,  
Director, Office of Export Control.

### PART 370—EXPORT LICENSING GENERAL POLICY AND RELATED INFORMATION

#### § 370.8 [Deleted]

*Deletion of special provisions for shipments via Hong Kong.*—The special provisions set forth in § 370.8 that were in effect for shipments via Hong Kong when Hong Kong was in Country Group X (now obsolete), are no longer necessary. Therefore, § 370.8 has been deleted.

*Narcotics and dangerous drugs.*—The provisions of the Export Control Regulations setting forth the list of narcotics and dangerous drugs subject to the export control authority of the Bureau of Narcotics and Dangerous Drugs, U.S. Department of Justice, have been revised to conform with the latest regulations issued by that agency.

Accordingly, paragraph (d) of § 370.10 is amended to read as follows:

§ 370.10 Exports controlled by U.S. Government agencies other than Office of Export Control.

(d) *Narcotics and dangerous drugs.*—Regulations administered by the Bureau of Narcotics and Dangerous Drugs, U.S. Department of Justice, Washington, D.C. 20537, govern the export of the following narcotic and nonnarcotic substances:

#### SCHEDULE I

Marihuana, hashish, LSD, certain opium derivatives and certain synthetic substances (opiates) without recognized medical utility set forth in schedule I.

#### SCHEDULE II

Opium and certain of its derivatives set forth in schedule II, coca leaves, cocaine, opiates, such as methadone and pethidine, amphetamines, methylphenidate, and phen-cyclidine.

#### SCHEDULE III

Preparations of opium and certain of its derivatives set forth in schedule III, and barbituric acid derivatives except phenobarbital.

#### SCHEDULE IV

Phenobarbital and certain minor tranquilizers set forth in schedule IV, as inoprobamate.

#### SCHEDULE V

Nonprescription preparations containing certain narcotic substances set forth in schedule V, in limited quantities.

(All of these substances must be properly identified with regard to schedule classification, etc., in accordance with the "Regulations" of the Bureau of Narcotics and Dangerous Drugs.)

(Title III, the Controlled Substances Import and Export Act [84 Stat. 1236; 21 U.S.C. secs. 1001-1016 (1970)].)

### PART 373—SPECIAL LICENSING PROCEDURES

Revision of value limitations on distribution license shipments.—The value limitations have been liberalized on shipments under the distribution license procedure, for commodities identified by the code letter "A" that follows the export control commodity number on the commodity control list. Shipments of any such commodity, formerly restricted to the amount shown on the export license for that commodity, may now be greater than the licensed amount, provided the grand total dollar value authorized for all "A" commodities on that license is not exceeded. This flexibility in shipments of "A" commodities has been in effect for some time for "non-A" commodities exported under one distribution license.

Accordingly, subparagraph (1) of § 373.3(h) is amended to read as follows:

#### § 373.3 Distribution license.

(h) *Export clearance.*—(1) *Limit on amount shipped.*—(i) "A" commodities.—Exports under a distribution license of any commodity identified by the code letter "A" following the export control commodity number on the commodity control list, may exceed the amount shown for that particular entry on the license, provided the total of all such "A" commodity shipments does not exceed the grand total dollar value authorized for all commodities on the license identified by the code letter "A".

(ii) "Non-A" commodities.—Exports under a distribution license of any commodity not identified by the code letter

"A" following the export control commodity number on the commodity control list, may exceed the amount for that particular entry on the license, provided the total of all such "non-A"-commodity shipments does not exceed the grand total dollar value authorized for all commodities on the license not identified by the code letter "A".

**Elimination of 2-year-business-relationship requirement for distribution, periodic requirements, and time limit licenses.**—Previously, the exporter applying for a distribution, periodic requirements, or time limit license was required: (1) To have had a continuous business relationship with each ultimate consignee named on the application for a period of not less than 2 years immediately preceding the date of filing the application, and (2) to have maintained in his possession documentary evidence of the existence of such business relationships with each ultimate consignee. The Export Control Regulations have now been revised to eliminate these requirements for a continuous and proven business relationship between exporters and their ultimate consignees under the provisions of the distribution, periodic requirements, and time limit licenses.

In addition, the previous application requirements under the periodic requirements and time limit licenses of having exported a minimum of \$2,000 worth of commodities to each named ultimate consignee during the 2-year period and of certifying on the application to the existence of the 2-year relationship and minimum export value provisions, are no longer applicable due to this elimination of the 2-year business relationship requirement.

**§§ 373.5, 373.6 [Amended]**

Accordingly, subparagraph (2) of § 373.3(c), subparagraphs (1) and (2) of § 373.5(c), subparagraph (1)(v) of § 373.5(d), subparagraphs (3) and (4) of § 373.6(a) and subparagraph (1)(v) of § 373.6(b) are deleted.

**Addition to the lists of commodities excluded from certain special license procedures.**—Section 373.6(b) and supplement No. 1 to part 373, commodities excluded from the project license, distribution license, service supply license, and the foreign-based warehouse license procedures are revised to add the following commodity:

7299(32) Single aperture lasers with an output greater than 1,000 joules per nanosecond.

As a result of this revision, the above commodity may no longer be exported under the project, distribution, service supply, or foreign-based warehouse licensing procedures.

**Exports of parts under service supply licensing procedure.**—Exports of parts to Country Group Q, W, or Y under the service supply (SL) licensing procedure that are identified by the code letter "A" on the commodity control list have heretofore been limited in value to shipments

of no more than \$2,000. This limitation has been relaxed so that such shipments may now be made in amounts up to \$4,000.

Accordingly, subparagraph (4) of § 373.7(1) is amended to read as follows:

§ 373.7 Service supply (SL) procedure.

(1) *Special provisions for Country Groups Q, W, and Y.*

(4) Restriction on parts to be exported: Parts identified by the code letter "A" following the export control commodity number on the commodity control list may not be exported or re-exported under this procedure to Country Group Q, W, or Y if the value of the parts included in a shipment is more than \$4,000.<sup>1</sup>

**PART 374—REEXPORTS**

**Certification of shipper's export declaration presented to Canadian customs authorities.**—An export passing through Canada to another foreign destination is subject to the export control laws and regulations of Canada. A Canadian export license may be required in such cases unless acceptable evidence that the export has been authorized by the U.S. Government is presented to the Canadian customs officials. Normally, the Canadian customs officials require as evidence that the export has been authorized by the United States a copy of the U.S. shipper's export declaration which the exporter has certified as "A True Copy."

In order to assist U.S. exporters who ship intransit through Canada, the U.S. Export Control Regulations have been revised to instruct the exporter, when clearing intransit shipments through Canada, to present a certified "True Copy" of his declaration to the Canadian customs officials.

Accordingly, § 374.6 is amended to read as follows:

§ 374.6 Presentation of shipper's export declaration to Canadian customs.

When an export to a foreign country is made in transit through Canada, the U.S. exporter shall submit to the Canadian customs authorities at the Canadian port of entry, a copy of the U.S. shipper's export declaration certified by the exporter as "A True Copy" of the original declaration.

**PART 379—TECHNICAL DATA**

**Revision of general license GTDR.**—Before exporting technical data relating to certain materials and equipment under the provisions of general license GTDR, the exporter must obtain from the importer a written assurance that neither the technical data nor the direct product thereof is intended to be shipped, directly or indirectly, to a destination in Country Group Q, W, Y, or Z.

The list of materials and equipment subject to this requirement for a writ-

<sup>1</sup>Requests for exception to this restriction will be considered under the provisions of § 373.7(1).

ten assurance is revised to include technical data relating to certain iron and steel alloys as follows: (1) Maraging steels containing all of the following: 12 percent or more nickel, more than 3 percent molybdenum, more than 5 percent cobalt, and less than 0.05 percent carbon (export control commodities Nos. 28 and 67); and (2) transformation induced plasticity (Trip) steels or penta-alloy ausforming stainless steels of the following composition: 8 to 14 percent chromium, 6 to 10 percent nickel, 2 to 5 percent molybdenum, 1 to 3 percent silicon, 0.75 to 3 percent manganese, and 0.15 to 0.35 percent carbon (export control commodities Nos. 67 and 6988).

Accordingly § 379.4(e) (1) is amended by adding subdivisions (iii) (jj) and (kk) to read as follows:

§ 379.4 General license GTDR: technical data under restriction.

(e) *Written assurance requirements.*

(1) \*\*\*

(iii) \*\*\*

(jj) Maraging steels containing all of the following: 12 percent or more nickel, more than 3 percent molybdenum, more than 5 percent cobalt, and less than 0.05 percent carbon (export control commodities Nos. 28 and 67); and

(kk) Transformation induced plasticity (Trip) steels or penta-alloy ausforming stainless steels of the following composition: 8 to 14 percent chromium, 6 to 10 percent nickel, 2 to 5 percent molybdenum, 1 to 3 percent silicon, 0.75 to 3 percent manganese, and 0.15 to 0.35 percent carbon (export control commodities Nos. 67 and 6988).

[FR Doc. 73-7577 Filed 4-18-73; 8:45 am]

**Title 16—Commercial Practices  
CHAPTER 1—FEDERAL TRADE  
COMMISSION**

[Docket No. 8304]

**PART 13—PROHIBITED TRADE  
PRACTICES**

**Diener's, Inc., et al.; Correction**

In FR Doc. 73-2186, appearing at pages 3398-99 for the issue of Tuesday, February 6, 1973, the following order to cease and desist should be inserted after the last two lines at the top of page 3399:

*It is further ordered,* That respondents Diener's, Inc., Diener's of Virginia, Inc., Diener's of Rockville, Inc., Diener's of Lanham, Inc., Diener's of Tysons Corner, Inc., and Mayfield Co., Inc., corporations, and their officers, and Milton Diener and Harold Reznick, individually and as officers of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of rugs, carpets, floor coverings, or any other articles of merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:



## RULES AND REGULATIONS

1. Using the words "Diener's Storewide Carpet Sale," "Fantastic 6 Store Factory Inventory Clearance" or any other word or words of similar import or meaning unless the price of such merchandise being offered for sale constitutes a reduction, in an amount not so insignificant as to be meaningless, from the actual bona fide price at which such merchandise was sold or offered for sale to the public on a regular basis by respondents for a reasonably substantial period of time in the recent, regular course of their business.

2. Using the words "Save" or "Savings" or any other word or words of similar import or meaning in conjunction with a stated dollar or percentage amount of savings, unless the stated dollar or percentage amount of savings actually represents the difference between the offering price and the actual bona fide price at which such merchandise had been sold or offered for sale on a regular basis to the public by the respondents for a reasonably substantial period of time in the recent, regular course of their business.

3. Using the words "Regular," "Reg.," or any other words of similar import and meaning, to refer to any price amount which is in excess of the price at which such merchandise has been sold or offered for sale in good faith by respondents for a reasonably substantial period of time in the recent, regular course of their business and unless respondents' business records establish that said amount is the price at which such merchandise has been sold or offered for sale in good faith by respondents for a reasonably substantial period of time in the recent, regular course of their business.

4. Using the words "area's competitive price," or words of similar import and meaning, to refer to any price amount which is appreciably in excess of the prices at which substantial sales of the same merchandise have been made in respondents' trade area and unless respondents have in good faith conducted a market survey which establishes the validity of the trade area prices; or misrepresenting, in any manner, the price at which merchandise has been sold in respondents' trade area.

5. (a) Representing, in any manner, that by purchasing any of said merchandise, customers are afforded savings amounting to the difference between respondent's stated price and respondents' former price unless such merchandise has been sold or offered for sale in good faith at the former price by respondents for a reasonably substantial period of time in the recent, regular course of their business.

(b) Representing, in any manner, that by purchasing any of said merchandise, customers are afforded savings amounting to the difference between respondents' stated price and a compared price for said merchandise in respondents' trade area unless a substantial number of the principal retail outlets in the trade area regularly sell said merchandise

at the compared price or some higher price.

(c) Representing, in any manner, that by purchasing any of said merchandise, customers are afforded savings amounting to the difference between respondents' stated price and a compared value price for comparable merchandise, unless substantial sales of merchandise of like grade and quality are being made in the trade area at the compared price or a higher price and unless respondents have in good faith conducted a market survey or obtained a similar representative sample of prices in their trade area which establishes the validity of said compared price and it is clearly and conspicuously disclosed that the comparison is with merchandise of like grade and quality.

6. Misrepresenting, in any manner, the amount of savings available to purchasers or prospective purchasers of respondents' merchandise at retail.

7. Failing to maintain adequate records (a) which disclose the facts upon which any savings claims, including former pricing claims and comparative value claims, and similar representations of the type described in paragraphs 2-6 of this order are based, and (b) from which the validity of any savings claims, including former pricing claims and comparative value claims, and similar representations of the type described in paragraphs 2-6 of this order can be determined.

8. Representing, directly or by implication, that any offer is limited in point of time or restricted in any manner, unless the represented limitation or restriction is actually imposed and in good faith adhered to by respondents.

9. Failing to deliver a copy of this order to cease and desist to all present and future salesmen or other persons engaged in the sale of respondents' products or services, and failing to secure from each such salesman or other person a signed statement acknowledging receipt of said order.

*It is further ordered,* That respondents Diener's, Inc., Diener's of Virginia, Inc., Diener's of Rockville, Inc., Diener's of Lanham, Inc., Diener's of Tyson's Corner, Inc., and Mayfield Co., Inc., corporations, and their officers, and Milton Diener and Harold Reznick, individually and as officers of said corporations, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, of any textile fiber product which has been advertised or offered for sale, in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product,

whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of constituent fibers contained therein.

B. Falsely and deceptively advertising textile fiber products by:

1. Making any representations by disclosure or by implication, as to fiber content of any textile fiber product in any written advertisement which is used to aid, promote, or assist, directly or indirectly, in the sale, or offering for sale of such textile fiber product unless the same information required to be shown on the stamp, tag, label, or other means of identification under sections 4 (b)(1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Failing to set forth in disclosing fiber content, information as to coverings containing exempted backings, fillings, or paddings, that such disclosure relates only to the face, pile, or outer surface of such textile fiber products and not to the exempted backings, fillings, or paddings.

3. Using a fiber trademark in advertising textile fiber products without a full disclosure of the required fiber content information in at least one instance in said advertisement.

4. Using a fiber trademark in advertising textile fiber products containing only one fiber without such fiber trademark appearing at least once in the advertisement, in immediate proximity and conjunction with the generic name of the fiber, in plainly legible and conspicuous type.

*It is further ordered,* That the respondents herein shall, within 60 days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

*It is further ordered,* That respondents notify the Commission at least 30 days prior to any proposed change in any of the corporate respondents such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporations, or any of them, which may affect compliance obligations arising out of this order.

*It is further ordered,* That the respondents shall forthwith distribute a copy of this order to each of their respective operating divisions.

[SEAL]

CHARLES A. TOBIN,  
Secretary.

[FR Doc.73-7576 Filed 4-18-73; 9:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-10088]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Solicitation of Purchases on an Exchange To Facilitate a Distribution of Securities

On January 8, 1973, in Securities Exchange Act Release No. 9926, and in the FEDERAL REGISTER for January 17, 1973, at 38 FR 1647, the Securities and Exchange Commission announced a proposed amendment to paragraph (c) of rule 10b-2 (17 CFR 240.10b-2) under the Securities Exchange Act of 1934 (Exchange Act). The Commission has considered the comments and suggestions received in response to the proposal and now amends the rule as set forth below.

Rule 10b-2 is essentially an anti-manipulative rule, the basic purpose of which is to prevent persons participating in the distribution of a security from stimulating the purchase of securities of the issuer on a national securities exchange by paying compensation to any person for soliciting such purchases other than for the account of the person paying the compensation.

Paragraph (c) of the rule, which is being amended, provides an exception from the rule which is designed to permit the ordinary activity and compensation of persons employed by brokers and dealers whose duties include the solicitation or execution of orders for the purchase or sale of securities. Prior to the amendment, this exemption extended only to persons paid on a salary basis. As a result of changes in the pattern of compensation in the securities markets, and because the distinction for this purpose between compensation on a salary basis and a commission basis is artificial and no longer serves a useful purpose, the amendment would permit the payment of compensation to such employees if such compensation represents only ordinary compensation, either in the form of salary or the usual and customary commissions paid to such person for the discharge of his duties in the regular course of his employment.

Because the effect of the above-described amendment would be to relax certain of the requirements of the Exchange Act, the Commission finds that for good cause the notice and procedure specified in the Administrative Procedure Act, 5 U.S.C. 553, is unnecessary, and accordingly it amends rule 10b-2 effective immediately.

**Commission action.**—The Securities and Exchange Commission acting pursuant to the provisions of the Securities Exchange Act of 1934 and particularly sections 10(b) and 23(a) thereof hereby amends part 240 of title 17 of the Code of Federal Regulations by amending § 240.10b-2(c) as follows:

§ 240.10b-2. Solicitation of purchases on an exchange to facilitate a distribution of securities.

(c) The provisions of this section shall not apply with respect to any compensation paid or offered or agreed to be paid by a broker or dealer to any person regularly employed by him whose ordinary duties include the solicitation or execution of orders for the purchase or sale of securities, if such compensation represents only ordinary compensation either in the form of salary or the usual and customary commissions paid to such person for the discharge by such person of such duties in the regular course of his employment.

(Secs. 10(b), 23(a), 48 Stat. 891, 901; as amended, 49 Stat. 1379, sec. 2; 15 U.S.C. 78; (b), 78w(a).)

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

APRIL 9, 1973.

[FR Doc.73-7290 Filed 4-13-73;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 167—IN VITRO DIAGNOSTIC PRODUCTS FOR HUMAN USE

Labeling Requirements and Procedures for Development of Standards for In Vitro Diagnostic Products for Human Use

Correction

In FR Doc. 73-5057 appearing at page 7096 of the issue for Thursday, March 15, 1973, make the following changes:

1. In § 167.2(b) (13), "test" should read "text".
2. In the last line of § 167.3(b) (8) "light humidity" should read "light, humidity".
3. In the fourth line of § 167.3(g) "al" should read "all".

Title 41—Public Contracts and Property Management

CHAPTER 3—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 3-7—CONTRACT CLAUSES

Miscellaneous Amendments to Chapter

Chapter 3, Title 41, Code of Federal Regulations, is amended as set forth below. The purpose of this amendment is to update the clause used in contracts financed by means of a letter of credit and to set forth a clause for use in contracts conditioned upon the availability of funds.

It is the general policy of the Department of Health, Education, and Welfare to allow time for interested parties to take part in the rulemaking process. However, the amendment herein involves minor changes in an administrative nature. Therefore, the public rulemaking

process is deemed unnecessary in this instance.

1. Table of contents of subpart 3-7.50 is amended to add the following:

Subpart 3-7.50—Special Contract Clauses

Sec.

3-7.5009 Contracts conditioned upon the availability of funds.

2. Subpart 3-7.50 is amended to revise § 3-7.5007 and to add a new § 3-7.5009. These sections read as follows:

§ 3-7.5007 Method of payment—letter of credit.

When authorized by an individual or blanket determination, findings, and authorization for advance payments, under a letter of credit, insert the following clause.

**NOTE**—See § 3-30.150 for current listing of organizations under the single letter of credit system.

METHOD OF PAYMENT—LETTER OF CREDIT

(a) This contract shall be funded under the Federal Reserve Letter of Credit No. \_\_\_\_\_, established by \_\_\_\_\_, Department of Health, Education, and Welfare, against which the Contractor will withdraw funds pursuant to prescribed Federal Reserve Letter of Credit procedures, as contained in Treasury Department Circular 1075 (31 CFR part 205).

(b) The funds drawn by the Contractor against the Federal Reserve Letter of Credit referred to above shall be only for current allowable expenditures necessary for the performance of this contract.

(c) In no event shall the accumulated total of funds withdrawn for the account of this contract against such Letter of Credit exceed the total contract price.

(d) When so requested in writing by the Contracting Officer, the Contractor shall repay to the Government such part of the unliquidated balance of the advance payments as shall, in the opinion of the Contracting Officer, be in excess of the Contractor's current needs or in excess of the contract price.

(e) If on up

(e) If upon completion or termination of this contract, all amounts obtained by the Contractor under this letter of credit have not been fully liquidated by authorized charges under the contract, the balance thereof shall be deducted from any sums otherwise due to the Contractor from the Government, and any excess funds shall be repaid by the Contractor to the Government upon demand.

(f) The Contractor shall submit to the Government periodic disbursement reports as directed by the Contracting Officer.

§ 3-7.5009 Contracts conditioned upon the availability of funds.

The following clause shall be included in all solicitations and resultant contracts:

AVAILABILITY OF FUNDS

(a) Funds are not presently available for this procurement. The Government's obligation hereunder is contingent upon the availability of appropriated funds from which payment for the contract purpose can be made.

(b) No legal liability on the part of the Government for payment of any money shall arise unless and until funds are made available to the Contracting Officer for this procurement and notice of such availability, to

## RULES AND REGULATIONS

be confirmed in writing by the Contracting Officer, is given to the Contractor.

(5 U.S.C. 301, 40 U.S.C. 486(c).

*Effective date.*—These amendments shall be effective April 19, 1973.

Dated April 13, 1973.

N. B. HOUSTON,  
Deputy Assistant Secretary  
for Administration.

[FR Doc. 73-7561 Filed 4-18-73; 8:45 am]

# **PART 3-50—ADMINISTRATIVE MATTERS**

## **Subpart 3-50.3—Preparation of Negotiation Memorandums**

### *Correction*

In FR Doc. 73-6856 appearing at page 9079 in the issue of Tuesday, April 10,

1973, in § 3-50.301(d), fourth line, the reference to "FPC 1-1.10" should read "FPR 1-1.10".

## **Title 28—Judicial Administration CHAPTER I—DEPARTMENT OF JUSTICE**

[Order 502-73]

## **PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION**

### **Subpart A—Production or Disclosure Under 5 U.S.C. 552(a)**

#### *Correction*

In FR Doc. 73-2970 appearing at page 4391 of the issue for Wednesday, February 14, 1973, the figure at the end of § 16.9(b) (6) reading "\$3.57", should read "\$3.75".

## **Title 40—Protection of Environment CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY**

### **Subchapter B—Grants**

## **PART 35—STATE AND LOCAL ASSISTANCE**

### **Grants for Construction of Treatment Works**

#### *Correction*

In FR Doc. 73-3756, appearing at page 5329, in the issue of Wednesday, February 28, 1973, make the following changes:

1. The headings should read as set forth above.
2. In § 35.930-1(a) (4), delete the second line.

## **Title 24—Housing and Urban Development**

## **CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM**

[Docket No. FI-105]

## **PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE**

### **Status of Participating Communities**

Section 1914.4 of part 1914 of subchapter B of chapter X of title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

#### **§ 1914.4 Status of participating communities.**

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
California	San Joaquin	Stockton, City of				Apr. 19, 1973. Emergency
Connecticut	New Haven	East Haven, Town of				Do.
Illinois	Cook	Burbank, City of				Do.
Do.	do	Hanover Park, Village of				Do.
Do.	Kane	Montgomery, Village of				Do.
Louisiana	Jefferson Parish	Harahan, City of				Do.
Do.	St. Mary Parish	Patterson, Town of				Apr. 16, 1973. Emergency
Michigan	Berrien	Benton, Township of				Apr. 19, 1973. Emergency
Do.	do	Hagar, Township of				Do.
Do.	Kent	Plainfield, Township of				Do.
Do.	Washtenaw	Ann Arbor, City of				Do.
Minnesota	Carver	Unincorporated areas				Do.
Mississippi	Hinds	Jackson, City of				Do.
New York	Allegany and Steuben	Almond, Town of				Do.
Do.	Ontario	West Bloomfield, Town of				Do.
Do.	Steuben	Campbell, Town of				Do.



State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
North Carolina	Rockingham	Eden, City of				Do.
Ohio	Franklin	Unincorporated areas.				Do.
Oregon	Lincoln	Toledo, City of				Do.
Pennsylvania	Centre	College, Township of				Do.
Do.	Clinton	Wayne, Township of				Do.
Do.	Cumberland	South Middleton, Township of				Do.
Do.	Huntingdon	Mapleton, Borough of				Do.
Do.	Lancaster	Manheim, Borough of				Do.
Do.	do.	Manor, Township of				Do.
Do.	Lycoming	Susquehanna, Township of				Do.
Do.	Venango	Franklin, City of				Do.
Do.	Westmoreland	Sewickley, Township of				Do.
Virginia	Goochland					Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969.)

Issued April 11, 1973.

GEORGE K. BERNSTEIN,  
Federal Insurance Administrator.

[FR Doc.73-7445 Filed 4-18-73;8:45 am]

**Title 33—Navigation and Navigable Waters**  
**CHAPTER IV—ST. LAWRENCE SEAWAY**  
**DEVELOPMENT CORPORATION**  
**PART 401—SEAWAY REGULATIONS AND RULES**

The purpose of this document is to amend § 401.104-9, speed, of the seaway regulations and rules by prescribing certain temporarily reduced speed limits for vessels transiting the St. Lawrence River section of the St. Lawrence Seaway, and by designating four more river reaches with corresponding speed limits. This amendment is made pursuant to the St. Lawrence Seaway Development Corporation's enabling act (33 U.S.C. 981, et seq.)

and pursuant to the authority vested in the Secretary of Transportation with respect to the St. Lawrence Seaway under the Ports and Waterways Safety Act of 1972 (Public Law 92-340, 86 Stat. 424) which authority was subsequently delegated to the Administrator of the Corporation in the FEDERAL REGISTER on October 17, 1972 (37 FR 21943).

Present high water levels in the St. Lawrence River section of the St. Lawrence Seaway have made it necessary to temporarily reduce the vessel speed limits for the protection of riparian property consistent with vessel safety.

The following table shows the changes being made:

River reaches		Speed limits	
From—	To—	Previous	As amended
Lower entrance <sup>1</sup>	Upper entrance	7 mi/h.	7 mi/h.
South Shore Canal	South Shore Canal	(6.1 knots).	(6.1 knots).
Upper entrance <sup>1</sup>	Lake St. Louis	12 mi/h.	12 mi/h.
South Shore Canal	Buoy 13A	(10.4 knots).	(10.4 knots).
Lake St. Louis <sup>1</sup>	Lower Beauharnois	18 mi/h.	18 mi/h.
Buoy 13A	Lock entrance	(15.5 knots).	(15.5 knots).
Upper Beauharnois	Lake St. Francis	Do.	Do.
Buoy 5B	Buoy 27F	10 mi/h upbound.	Do.
		(8.6 knots).	Do.
		12 mi/h downbound.	Do.
		(10.4 knots).	Do.
Lake St. Francis	Lake St. Francis	18 mi/h.	Do.
Buoy 27F	Buoy 87F	(15.5 knots).	Do.
Lake St. Francis	Snell Lock	10 mi/h upbound.	9 mi/h upbound.
Buoy 87F		(8.6 knots).	(7.8 knots).
		12 mi/h downbound.	Do.
		(10.4 knots).	Do.
Snell Lock <sup>1</sup>	Eisenhower Lock	7 mi/h.	7 mi/h.
		(6.1 knots).	(6.1 knots).
Eisenhower Lock	Richards Point	13 mi/h.	12 mi/h.
	Light 55	(11.3 knots).	(10.4 knots).
Richards Point	Morrisburg	15 mi/h.	12 mi/h.
Light 55	Buoy 84	(13 knots).	(10.4 knots).
Morrisburg	Ogden Island	13 mi/h.	12 mi/h.
Buoy 84	Buoy 99	(11.3 knots).	(10.4 knots).
Ogden Island	Blind Bay	15 mi/h.	12 mi/h.
Buoy 99	½ mile east of light 162	(13 knots).	(10.4 knots).
Blind Bay	Deer Island	13 mi/h.	12 mi/h.
½ mile east of light 162	Light 186	(11.3 knots).	(10.4 knots).
Deer Island	Bartlett Point	10 mi/h upbound.	9 mi/h upbound.
Light 186	Light 227	(8.6 knots).	(7.8 knots).
		12 mi/h downbound.	Do.
		(10.4 knots).	Do.
Bartlett Point	Tibbetts Point	15 mi/h.	12 mi/h.
Light 227		(13 knots).	(10.4 knots).

<sup>1</sup> Additions:

Please note that the speed limits for the Welland Canal remain unchanged.

Since the high water levels presently exist, remedial action must be undertaken immediately. Therefore, notice of proposed rulemaking and public comment thereon, prior to the effective date of this amendment, is impractical and contrary to the public interest. However, the St. Lawrence Seaway Development Corporation will consider any comments received before May 15, 1973, and will make such changes as are warranted through subsequent amendments to these regulations.

Section 401.104-9 is amended as follows:

**§ 401.104-9 Speed.**

Maximum speed for vessels in excess of 40 feet in overall length shall not exceed that shown for designated areas in the following table and every vessel under way shall proceed at a reasonable speed, so as not to cause undue delay to other vessels.

From—	To—	Maximum speed over the bottom (mi/h)
Lower entrance south.	Upper entrance	7 mi/h (6.1 knots).
Shore Canal	South Shore Canal	
Upper entrance south.	Lake St. Louis	12 mi/h (10.4 knots).
Shore Canal	Buoy 13A	12 mi/h (10.4 knots).
Lake St. Louis	Lower Beauharnois	18 mi/h (15.5 knots).
Buoy 13A	Lock entrance	18 mi/h (15.5 knots).
Upper Beauharnois	Lake St. Francis	10 mi/h upbound.
Buoy 5B	Buoy 27F	(8.6 knots).
		12 mi/h downbound.
		(10.4 knots).
Lake St. Francis	Lake St. Francis	18 mi/h (15.5 knots).
Buoy 27F	Buoy 87F	12 mi/h upbound.
Lake St. Francis	Snell Lock	(7.8 knots).
Buoy 87F		12 mi/h downbound.
		(10.4 knots).

From—	To—	Maximum speed over the bottom (mi/h)
Snell Lock.....	Eisenhower Lock..	7 mi/h (6.1 knots).
Eisenhower Lock..	Richards Point....	12 mi/h (10.4 knots).
Richards Point....	Light 55.....	12 mi/h (10.4 knots).
Light 55.....	Buoy 84.....	12 mi/h (10.4 knots).
Morrisburg.....	Ogden Island.....	12 mi/h (10.4 knots).
Buoy 84.....	Buoy 99.....	12 mi/h (10.4 knots).
Ogden Island.....	Blind Bay.....	12 mi/h (10.4 knots).
Buoy 99.....	1/2 mile east of light 162.	12 mi/h (10.4 knots).
Blind Bay.....	Deer Island.....	12 mi/h (10.4 knots).
1/2 mile east of light 162.	Light 186.....	12 mi/h (10.4 knots).
Deer Island.....	Bartlett Point.....	9 mi/h upbound. (7.8 kno.s).
Light 186.....	Light 227.....	12 mi/h downbound. (10.4 knots).
Bartlett Point.....	Tibbets Point.....	12 mi/h (10.4 knots).
Junction of Canadian Middle Channel and Main Channel abreast of Ironsides Island.	Open waters between Wolfe and Howe Islands through the said Middle Channel.	13 mi/h (11.3 kno.s).
Lock 1, Welland..	Outer Piers, Port.	9 mi/h (7.8 knots).
Canal.....	Weller Harbor.....	9 mi/h (7.8 knots).
Port Robinson...	Ramey's Bend through the Welland By-Pass.	9 mi/h (7.8 knots).
All other canals.		7 mi/h (6.1 knots).

(68 Stat. 92-97, 33 U.S.C. 981-990, as amended, and sec. 104, Public Law 92-340, 86 Stat. 424, 49 CFR 1.50a (37 FR 21943).)

*Effective date.*—April 17, 1973.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION,  
[SEAL] D. W. OBERLIN,  
*Administrator.*

[FR Doc.73-7463 Filed 4-18-73;8:45 am]

#### Title 49—Transportation

#### SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[Docket No. 21; Amdt. 71-13]

#### PART 71—STANDARD TIME ZONE BOUNDARIES

#### Relocation of Eastern-Central Standard Time Zone Boundary in the State of Michigan

##### *Correction*

In FR Doc. 73-7199 appearing at page 9228 of the issue for Thursday, April 12, 1973, in the 26th line of the third paragraph the reference "the 19th meridian west" should read "the 90th meridian west".

#### CHAPTER V—DEPARTMENT OF TRANSPORTATION, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

[Docket No. 1-8; Notice 11]

#### PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

##### Retreaded Pneumatic Tires

This notice amends paragraph S6.2 of standard No. 117, retreaded pneumatic tires (49 CFR 571.117), to allow the temporary certification label permitted by that paragraph to be affixed to the side-

wall of the tire, as well as to the tread. "Federal Motor Vehicle Safety Standard No. 117" was published March 23, 1972 (37 FR 5950), and amended January 31, 1973 (38 FR 2982). Although the standard relating to the placement of a conformity label stated that the temporary label would be affixed "to the tread of the tire," the NHTSA did not intend to be restrictive of the label's location, and the limiting language was inadvertent.

In light of the above, paragraph S6.2 of "Federal Motor Vehicle Safety Standard No. 117, Retreaded Pneumatic Tires," appearing at 49 CFR 571.117, is amended by adding the words, "or sidewall" after the phrase, "to the tread".

*Effective date.*—June 1, 1973. This amendment is corrective in nature and imposes no additional burden on any person. Accordingly, it is found that notice and public procedure thereon are unnecessary, and that good cause exists for an effective date less than 180 days from the day of publication.

(Secs. 103, 112, 113, 114, 119, 201, Public Law 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1401, 1402, 1403, 1407, 1421; delegation of authority at 49 CFR 1.51)

*Issued on April 12, 1973.*

JAMES E. WILSON,  
*Acting Administrator.*

[FR Doc.73-7554 Filed 4-18-73;8:45 am]

#### CHAPTER X—INTERSTATE COMMERCE COMMISSION

##### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1129, Amdt. 1]

#### PART 1033—CAR SERVICE

##### Chicago, Rock Island, and Pacific Railroad Co. Authorized to Operate over Tracks of Burlington Northern Inc.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 12th day of April 1973.

Upon further consideration of service order No. 1129 (38 FR 8062), and good cause appearing therefor:

*It is ordered, That:*

§ 1033.1129 *Service Order No. 1129* (Chicago, Rock Island, and Pacific Railroad Company authorized to operate over tracks of Burlington-Northern Inc.) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.*—The provisions of this order shall expire at 11:59 p.m., June 30, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

*Effective date.*—This amendment shall become effective at 11:59 p.m., April 15, 1973.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

*It is further ordered, That* a copy of this amendment shall be served upon the Association of American Railroads, Car

Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,  
*Secretary.*

[FR Doc.73-7574 Filed 4-18-73;8:45 am]

[S.O. 1132]

#### PART 1033—CAR SERVICE

##### Distribution of Freight Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 12th day of April 1973.

It appearing, that an acute shortage of 50-foot closed freight cars, equipped with doors 10 feet or wider for loading of lumber or plywood, exists in the area served by the Southern Pacific Transportation Co. (SP); that shippers served by the SP and its short line or switch connections are being deprived of such cars required for loading of these products, creating a great economic loss; that the Evergreen Freight Car Co. (EFCX), a wholly owned subsidiary of the SP, owns 3,217 such cars; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, and return of such EFCX cars are ineffective; and that it is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

*It is ordered, That:*

§ 1033.1132 *Service Order No. 1132.*

(a) *Distribution of freight cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Restrictions applicable to lines other than the Southern Pacific Transportation Co. (SP) or St. Louis Southwestern Railway Co. (SSW): Withdraw from distribution and return empty to the SP or SSW, except as otherwise provided in paragraph (a)(2) of this section, all freight cars bearing reporting marks EFCX.

(2) *Exception:* EFCX freight cars available empty at stations other than in the States of California, Oregon, Washington, Idaho, and Montana, and which stations are not served by the SP

or by the SSW may be loaded with non-contaminating freight to any station on the SP or SSW.

(3) Restrictions applicable to lines of the SP and SSW: Withdraw from distribution and forward empty to loading points in California or Oregon located on the SP or on its short-line or switch connections in those States, except as otherwise provided in paragraph (4) herein, all freight cars bearing reporting marks EFCX.

(4) Exception: EFCX freight cars available empty on the SP or SSW at stations located in States other than California or Oregon may be loaded with noncontaminating freight to stations on the SP in California or Oregon.

(5) EFCX freight cars must not be held empty in excess of 48 hours, exclusive of Saturdays, Sundays, and holidays, awaiting forwarding empty or awaiting placement for loading authorized in paragraphs (2) and (4) herein.

(6) Definitions: (i) The term "non-contaminating freight" means any freight not listed in Car Service Rule 14, published on page 1104 of the "Official Railway Equipment Register," I.C.C. R.E.R. No. 386, issued by W. J. Trezise, or successive issues thereof.

(ii) The term "holidays" means holidays listed in item 25 of "General Car Demurrage Tariff 4-J," I.C.C. H-59, issued by B. B. Maurer, supplements thereto or reissues thereof.

(b) *Application.*—The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(c) *Effective date.*—This order shall become effective at 11:59 p.m., April 20, 1973.

(d) *Expiration date.*—This order shall expire at 11:59 p.m., July 31, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1 (10-17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), 17(2).)

*It is further ordered,* That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Associa-

tion; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-7575 Filed 4-18-73;8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION,  
DEPARTMENT OF HEALTH, EDUCATION,  
AND WELFARE

PART 177—FEDERAL, STATE AND PRIVATE PROGRAMS OF LOW-INTEREST  
LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Special Allowances

Subparagraph (3) of § 177.4(c), Special allowances, which deals with the payment to lenders of the allowances authorized by section 2 of the "Emergency Insured Student Loan Act of 1969" (Public Law 91-95) is amended by adding a subdivision (xv) to provide for the payment of such an allowance for the period January 1, 1973, through March 31, 1973, inclusive.

As so amended § 177.4 reads as follows:

§ 177.4 Special allowances.

(c) . . .

(3) Special allowances are authorized to be paid as follows:

. . . . .

(xv) For the period January 1, 1973, through March 31, 1973, inclusive, a special allowance is authorized to be paid in an amount equal to the rate of 1 percent per annum of the average unpaid balance of disbursed principal of eligible loans.

(Sec. 2, 83 Stat. 141.)

Dated April 6, 1973.

JOHN OTTINA,  
Acting Commissioner of Education.

Approved April 17, 1973.

CASPAR W. WEINBERGER,  
Secretary.

[FR Doc.73-7622 Filed 4-18-73;8:45 am]

# Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

## DEPARTMENT OF THE TREASURY

Bureau of Customs

[ 19 CFR Parts 10, 148 ]

### PERSONAL DECLARATIONS AND EXEMPTIONS

#### Free Entry Privileges (Including Duty-Free Alcoholic Beverages) for Foreign Military Personnel

Notice is hereby given that under the authority contained in section 251 of the Revised Statutes, as amended (19 U.S.C. 66), sections 498, 624, 46 Stat. 728, as amended, 759 (19 U.S.C. 1498, 1624) and General Headnote 11, Tariff Schedules of the United States (19 U.S.C. 1202), it is proposed to amend part 148 of the Customs Regulations by adding to subpart I of part 148 a new § 148.90 entitled "Foreign military personnel."

Proposed § 148.90 is part of the general revision of the Customs Regulations and replaces present § 10.30c. Changes or additions in language are proposed to clarify the provisions, eliminate inconsistencies, and conform the Customs Regulations to current administrative practices.

The principal changes in the requirements and procedures in proposed § 148.90 from those set forth in section 10.30c relate to the entry or withdrawal of alcoholic beverages under item 822.20, Tariff Schedules of the United States (19 U.S.C. 1202), for personal or family use. These changes are as follows:

1. The present regulations state that for normal consumption the entry or withdrawal of alcoholic beverages under item 822.20, Tariff Schedules of the United States (19 U.S.C. 1202), is limited to one case per month. In practice, this limitation does not apply to malt beverages. Therefore, the word "(other than malt beverages)" are added to § 148.90 (d) (1) (i), to clearly point out that malt beverages are an exception to the limitation.

2. Advance entry or withdrawal of cases of alcoholic beverages under the one case per month limitation, mentioned above, is permitted under the present regulations, but the number of cases advanced is left to the discretion of the district director. This policy has resulted in a lack of uniformity as to the number of cases that can be entered or withdrawn at one time. To establish a uniform policy, § 148.90(d) (1) (ii) permits three cases (the initial one plus two cases in advance) to be entered or withdrawn at any one time. The second sentence of § 148.90(d) (1) (ii) is added to explicitly point out that this advance entry or withdrawal does not broaden the one case per month limitation.

3. Section 148.90(d) (3) sets forth the requirement that the warehouse proprietor must retain the necessary records concerning the entry and withdrawal of alcoholic beverages under item 822.20, Tariff Schedules of the United States (19 U.S.C. 1202), for at least 3 years from the date of such entry or withdrawal. This section also indicates that the district director may have the warehouse proprietor's records verified.

4. Since the requirement that the member of the armed forces be an alien is explicitly set forth in § 148.81, it is omitted from § 148.90.

There is included a parallel reference table which shows the relationship between proposed § 148.90 and present § 10.30c of the Customs Regulations.

Accordingly, it is proposed to amend the Customs Regulations as set forth below:

#### § 10.30c [Deleted]

Part 10 is amended by deleting § 10.30c and footnotes 33e and 33f appended thereto.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

#### § 148.81 [Amended]

Section 148.81 is amended to correct its cross-reference to foreign military personnel as follows:

In paragraph (a) substitute "§ 148.90" for "§ 10.30c of this chapter."

In paragraphs (b), (c), and (d) delete "and § 10.30c of this chapter."

Part 148 is amended by adding a new § 148.90 entitled "Foreign military personnel" to subpart I, to read as follows:

#### § 148.90 Foreign military personnel.

(a) *Exemptions allowed.*—District directors shall in accordance with the provisions of this section admit the following free of duty and internal revenue tax imposed upon or by reason of importation:

(1) The baggage and effects of persons on duty in the United States as members of the armed forces of any foreign country, and of their immediate families under item 820.40, Tariff Schedules of the United States (19 U.S.C. 1202);

(2) Articles entered or withdrawn from warehouse for consumption by a member of the armed forces of any foreign country on duty in the United States, for his personal use or that of any member of his immediate family, under item 822.20, Tariff Schedules of the United States (19 U.S.C. 1202); and

(3) Articles entered or withdrawn from warehouse for consumption for the official use of members of the armed forces of any foreign country on duty in

the United States, under item 841.20, Tariff Schedules of the United States (19 U.S.C. 1202).

(b) *Reciprocity limitation.*—When district directors have been advised officially of a finding by the Secretary of the Treasury that a foreign country does not reciprocate to members of the armed forces of the United States on duty in its country and members of their immediate families the privileges accorded its members and their families in the United States, the district directors shall accord to the personnel of such foreign government privileges under the law only to the extent to which the foreign government accords similar treatment to members of the armed forces of the United States and members of their immediate families.

(c) *Status of importer questioned.*—If any question arises as to the status of the importer under items 820.40, 822.20, or 841.20, Tariff Schedules of the United States (19 U.S.C. 1202), or whether articles entered thereunder are for official use or for personal or family use, the district director shall report the available facts to the Commissioner of Customs for instructions.

(d) *Alcoholic beverages for personal or family use.*—(1) *General rule.*—(i) *Limitation stated.*—Except in the case of exceptional circumstances set forth in paragraph (d) (2) of this section, entry of alcoholic beverages (other than malt beverages) for personal or family use under item 822.20, Tariff Schedules of the United States (19 U.S.C. 1202), is limited to one case each month.

(ii) *Advance entry or withdrawal.*—A maximum of three cases (the initial one plus two cases in advance) may be entered or withdrawn at any one time in a given 3-month period if the district director is satisfied they are for personal or family use. Such advance entry or withdrawal shall not be deemed to broaden the one case per month limitation.

(iii) *Certification.*—At the time of each entry or withdrawal, the member of the Armed Forces must certify that since his last entry or withdrawal there have expired a number of months equal to the numbers of cases last entered or withdrawn.

(2) *Exceptional circumstances.*—In exceptional circumstances an additional quantity of alcoholic beverages for personal or family use in excess of the one case per month limitation may be allowed under the following procedure:

(i) A statement signed by the member of the Armed Forces and attached to his declaration for free entry will be submitted to the district director, setting

forth the reason for requesting the additional quantity;

(ii) The statement of request must be approved by the officer or person in charge of the Armed Forces involved, or a person specifically authorized by such officer or person to approve such requests; and

(iii) The district director must be satisfied that the need for the additional quantity is justified. Questionable cases shall be referred to the Commissioner of Customs for instructions.

(3) *Retention and verification of the warehouse proprietors' records.*—The warehouse proprietor shall retain all records relating to the entry and withdrawal of alcoholic beverages under item 822.20, Tariff Schedules of the United States (19 U.S.C. 1202), for at least 3 years from the date of entry or withdrawal of such beverages. Verification of the warehouse proprietors' records shall be at the discretion of the district director.

(e) *Entry requirements.*—The entry requirements prescribed in the Tariff Act of 1930, as amended (Title 19, United States Code), and the regulations thereunder are applicable to articles for which free entry is claimed under items 820.40, 822.20, or 841.20, Tariff Schedules of the United States (19 U.S.C. 1202). No invoices shall be required.

Prior to the adoption of this amendment, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229, and received not later than May 21, 1973. Written material or suggestions submitted will be available for public inspection in accordance with § 103.3(b) of the customs regulations (19 CFR 103.3(b)), at the Regulations Division, Bureau of Customs, Washington, D.C., during regular business hours.

[SEAL] VERNON D. ACREE,  
Commissioner of Customs.

Approved April 10, 1973.

EDWARD L. MORGAN,  
Assistant Secretary  
of the Treasury.

#### APPENDIX

#### PARALLEL REFERENCE TABLE

(This table shows the relation of sections in proposed part 148 to 19 CFR part 10.)

Proposed part 148 section:	19 CFR section
148.90(a) -----	10.30c(a).
148.90(b) -----	10.30c(a).
148.90(c) -----	10.30c(b).
148.90(d) (1) (i) -----	10.30c(b).
148.90(d) (1) (ii) -----	10.30c(b) and new.
148.90(d) (1) (iii) -----	10.30c(b).
148.90(d) (2) -----	10.30c(b).
148.90(d) (3) -----	New.
148.90(e) -----	10.30c (c) and (d).

[FR Doc. 73-7583 Filed 4-18-73; 8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

[41 CFR Part 3-16]

### SOLICITATION DOCUMENTS

#### Standardized Request for Proposal and Checklist

Notice is hereby given in accordance with the administrative provisions in 5 U.S.C. 553, that pursuant to the Federal Property and Administrative Services Act of 1949, as amended, the Office of the Secretary is considering an amendment to 41 CFR chapter 3 by amending part 3-16, to add § 3-16.5001, Standardized Request for Proposal Format and Checklist for Solicitation Documents.

Any person who wishes to submit written data, views, or objections pertaining to the proposed amendment may do so by filing them in duplicate with the Director, Office of Procurement and Materiel Management, OASAM, room 3340, HEW North Building, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201 on or before May 21, 1973. All comments submitted pursuant to this notice will be available for public inspection during regular business hours in the Office of Procurement and Materiel Management.

This amendment provides for the standardization of the request for proposal format throughout the Department of Health, Education, and Welfare.

Dated April 13, 1973.

N. B. Houston,  
Deputy Assistant Secretary  
for Administration.

As proposed, the new subpart 3-16.50 would read as follows:

#### Subpart 3-16.50 Forms for Negotiated Procurements

§ 3-16.5001 Standardized request for proposal (RFP) format and checklist for solicitation documents.

(a) Forms used for requesting proposals on negotiated procurements shall be in accordance with this subpart and FPR subpart 1-16.9.

(b) The purpose of these instructions is to establish the acceptable minimum requirements for the format and content of proposals in order: (1) To assure that proposals are complete and contain all the essential information required by the Government, and (2) to assure a degree of uniformity in presentation which will facilitate appraisal of proposals by the Government.

(c) Generally, requests for proposals shall be in writing. Solicitations shall contain the information necessary to enable a prospective offeror to prepare a proposal, and shall contain the follow-

ing information, if applicable to the procurement involved.

(d) The request for proposal shall consist of the following documents:

- (1) Transmittal letter.
- (2) Proposed contract provisions (including work statement).
- (3) Instructions to offerors.
- (i) General instructions.
- (ii) Technical proposal instructions.
- (iii) Business proposal instructions.

(e) Standard forms 33 and 33A will normally be used for fixed-price type contracts (procurement of hardware and administrative type supplies/services). If the forms 33 and 33A are not utilized, the business proposal instructions must include all required representations and certifications.

(f) The following format shall be utilized in preparing the transmittal letter for requests for proposals:

Date -----

Refer to RFP No. -----

Gentlemen: You are invited to submit a proposal in accordance with the requirements of request for proposal No. ----- for (insert name of the procurement).

Your proposal must be received by the Contracting Officer no later than (insert date) and (time—local prevailing time) at (address to which proposals are to be sent).

Special attention is directed to the "Certification of Nonsegregated Facilities" of this solicitation. You are cautioned that failure to agree to the certification shall render your proposal nonresponsive to solicitations involving awards of contracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause.

Your proposal must be prepared in accordance with the attached "Contract Provisions," and "Instructions to Offerors."

The RFP does not commit the Government to pay any cost for the preparation and submission of a proposal. It is also brought to your attention that the Contracting Officer is the only individual who can legally commit the Government to the expenditure of public funds in connection with this proposed procurement.

Requests for any information concerning this RFP should be referred only to (name and title of individual) who may be called on (area code and telephone number).

Sincerely,

Include any of the following statements in the transmittal letter if they are applicable:

(1) If the contract is to be conditioned on the availability of funds, a clear statement of such condition must be added (see HEWFR 3-1.354).

(2) Conference of prospective offerors. The following is to be used when a preproposal conference is required. The language may be modified to adapt to the particular situation.

A conference will be held with prospective offerors at ----- on

(time)

-----, at -----

(date)

(location)

for the purpose of providing information concerning the Government's requirements which may be helpful in the preparation of proposals, and to answer any questions which you have regarding this solicitation.

The success of this type of conference depends largely on the leadtime available to the Government for research in connection with questions submitted by offerors. Therefore, you are requested to mail written questions concerning any areas of uncertainty which, in your opinion, require clarification or correction, in sufficient time to be received on or before ----- Your questions should be submitted to the Contracting Officer -----, and the envelope should be marked, "Offerors Conference Question, RFP No. -----" A set of all questions and answers will be furnished simultaneously to all prospective offerors.

Because of space limitations, prospective contractors shall be limited to a total of ---- representatives.

Attendance at the preproposal conference is recommended; however, attendance is neither required nor a prerequisite for proposal submission, and will not be considered a factor in proposal evaluation.

(3) When the procurement involves a set-aside for labor surplus area or small business concerns, insert the following statement and include the appropriate "Notice of Set-Aside" clause in the request for proposal.

The prescribed clauses are set forth in FPR 1-1.706-5 and 6; and 1-1.804-2.

This is a ---- percent set-aside for (small business) (labor surplus area concerns).

(4) If multiple awards may be made insert the following: Multiple awards: More than one award may be made under this solicitation.

(5) Insert the following, if the offeror is to be informed of the Government's estimate of the level of effort required to accomplish the required effort.

(A) The Government considers the effort to be performed to require approximate man-hours as follows: (Insert a breakdown of the Government's man-hours estimates by categories.) These estimates are furnished for the offeror's information only and are not to be considered restrictive for proposal purposes; or

(B) To assist you in the preparation of your proposal, the Government considers during this contract to be approximately (insert the total figure) man-hours. This number is furnished for the offeror's information only and is not considered restrictive for proposal purposes.

(g) Proposed contract provisions (including scope of work)—Each request for proposal shall contain the proposed contract provisions including the scope of work or specifications. In addition to the scope of work or specifications, this element of the request for proposal shall contain such information as the period of performance or delivery schedule, reporting requirements, the general provisions, any additional provisions, and special contract clauses.

(h) The instructions to offerors shall consist of three parts. The first will be "General Instructions," the second will be the instructions for preparation of the technical proposal and the third will be the instructions for the preparation of the business proposal. The following will precede the general instructions.

(i) *Instructions to Offeror*.—The following instructions establish the acceptable minimum requirements for the format and content of proposals. Special attention is directed to the requirements for technical and business proposals to be submitted in accordance with these instructions. You are advised that paramount consideration shall be given to the evaluation of technical proposals, as well as price, in the award of a contract.

The general instructions must contain the following statements:

(1) The proposal shall be based on a (insert type) of contract. In addition to the special

provisions of this request for proposal, any resultant contract shall include the general provisions (form HEW -----, General Provisions for -----). Any additional clauses required by Public Law, Executive order, or procurement regulations, in effect at the time of execution of the proposed contract will be included.

(2) The following shall be included unless the operating agency has authorized a different policy regarding the separation of proposals and inclusion of cost information in the technical proposal.

The proposal shall be in two parts: a "Technical Proposal" and a "Business Proposal." Each of the parts shall be separate and complete in itself so that evaluation of one may be accomplished independently of and concurrently with evaluation of the other. The technical proposal shall not contain any reference to cost, however, resources information, such as, data concerning labor hours and categories, materials, subcontracts, etc. shall be contained in the "Technical Proposal" so that the offeror's understanding of the scope of the work may be evaluated. It must disclose your technical approach in as much detail as possible, including, but not limited to the requirements of the technical proposal instructions.

(3) The wording set forth below may be modified if the operating agency has a policy of not requiring the separation of business and technical proposals.

The proposal shall be signed by an official authorized to bind your organization. ---- copies of your technical proposal and ---- copies of your business proposal shall be submitted to: (Insert complete address) as to where the proposal is to be sent and how the RFP is to be marked).

#### (4) LATE PROPOSALS AND MODIFICATIONS OF PROPOSALS

(This provision does not apply to normal revisions to proposals by offerors selected for discussions during the usual conduct of negotiations with such offerors or to withdrawal of proposals.)

(a) Any proposal received at the office designated in the solicitation after the exact time specified for receipt will not be considered unless it is received before award is made, and:

(1) It was sent by registered or certified mail not later than the fifth calendar day prior to the date specified for receipt of offers (e.g., an offer submitted in response to a solicitation requiring receipt of offers by the 20th day of the month must have been mailed by the 15th or earlier);

(2) It was sent by mail (or telegram if authorized) and it is determined by the Government that the late receipt was due solely to mishandling by the Government after receipt at the Government installation;

(3) It is the only proposal received; or

(4) It offers significant cost or technical advantages to the Government, and it is received before a determination of the competitive range has been made.

(b) Any modification of a proposal is subject to the same conditions as in (a), above, and, in addition, if sent by telegram and received at the office designated in the solicitation by telephone from the receiving telegraph office not later than the time set for opening, shall be considered if such message is confirmed by the telegraph company by sending a copy of the telegram which formed the basis for the telephone call.

(c) The only acceptable evidence to establish:

(1) The date of mailing of a late proposal or modification sent either by registered mail or certified mail is the postmark on the wrapper or on the original receipt from the post office. If neither postmark shows a legi-

ble date, the proposal or modification of proposal shall be deemed to have been mailed late.

(2) The time of receipt at a Government installation is the time-date stamp of such installation on the proposal wrapper or other documentary evidence of receipt maintained by the installation.

(d) Notwithstanding (a) and (b), above, a late modification of an otherwise successful proposal which makes the terms more favorable to the Government will be considered at any time it is received and may be accepted.

(5) You may, at your discretion, submit alternative proposals, or proposals which deviate from the requirements, *Provided*, That you also submit a proposal for performance of the work as specified in the statement of work. Such proposals may be considered if overall performance would be improved or not compromised and if they are in the best interests of the Government. Alternative proposals, or deviations from any requirement of this RFP, shall be clearly identified.

(6) The proposal submitted in response to the request for proposal may contain technical data which the offeror; or his subcontractor offeror does not want used or disclosed for any purpose other than evaluation of the proposal. The use and disclosure of any such technical data may be so restricted: *Provided*, The offeror marks the cover sheet of the proposal with the following legend, specifying the pages of the proposal which are to be restricted in accordance with the conditions of the legend:

"Technical data contained in pages ---- of this proposal shall not be used or disclosed, except for evaluation purposes. *Provided*: That if a contract is awarded to this offeror as a result of or in connection with the submission of this proposal the Government shall have the right to use or disclose this technical data to the extent provided in the contract. This restriction does not limit the Government's right to use or disclose technical data obtained from another source without restriction.

"The Government assumes no liability for disclosure or use of unmarked technical data and may use or disclose the data for any purpose and may consider that the proposal was not submitted in confidence and therefore is releasable under the Freedom of Information Act (5 U.S.C. 552)."

(7) The Government will evaluate technical proposals in accordance with the criteria set forth in the technical proposal instructions.

(8) The Government reserves the right to make an award without further discussion of the proposals received. Therefore, it is important that your proposal be submitted initially on the most favorable terms from both the technical and cost standpoints. After submission of proposals and closing thereof, no information will be released until after award.

(9) The Government reserves the right to reject any or all proposals received. It is understood that your proposal will become part of the official file on this matter without obligation to the Government.

(10) Unnecessarily elaborate brochures or other presentations beyond that sufficient to present a complete and effective proposal are not desired and may be construed as an indication of the offeror's lack of cost consciousness. Elaborate art work, expensive visual and other presentation aids are neither necessary nor wanted.

Include any of the following in the general instructions, if the item is applicable to the particular situation.

(1) If the proposed contract will involve performance or services on a Government installation insert the following paragraph:



**Site visit.**—Offerors are urged and expected to inspect the site where services are to be performed and to satisfy themselves as to all general and local conditions that may affect the cost of performance of the contract, to the extent such information is reasonably obtainable. In no event will failure to inspect the site constitute grounds for claim after the award of a contract.

(2) The following notice to offerors will be included whenever contract performance is expected to involve risk to human subjects:

**NOTICE TO OFFERORS OF REQUIREMENTS FOR ADEQUATE ASSURANCE OF PROTECTION OF HUMAN SUBJECTS**

Prospective contractors being considered for award will be required to give acceptable assurance that the project described herein will be subject to initial and continuing review by an appropriate institutional committee. This review shall assure that the rights and welfare of the individuals involved are adequately protected, that the risks to an individual are outweighed by the potential benefits to him or by the importance of the knowledge to be gained, and that informed consent will be obtained by methods that are adequate and appropriate.

(3) The following relates to the procurement of ADPE. Subpart 101-32.4 of the Federal Property Management Regulations (FPMR) provides for the purchasing and contracting of ADPE. FPMR 101-32.407 indicates that Government agencies should procure ADPE from different sources—"Mix a System"—when such action is both feasible and in the best interests of the Government. RFP's should address this possible course of action. Set forth below is a paragraph, Alternate Sources Procurement, which can be incorporated in RFP's to accomplish the desired result.

"The Government does not commit itself to procure any supply or service from any particular offeror by the issuance of this solicitation. The Government reserves the right to reject any and all offers received, or any part or parts thereof and to satisfy its total requirements, or any part thereof, from other sources. Such alternate sources include, but are not limited to:

"(A) Equipment becoming excess to the Government's needs which is owned by the Government, or in which the Government has accrued equity due to past rentals paid.

"(B). Equipment obtained by lease or purchase from sources other than the manufacturer thereof.

"(C) Equipment, which, because there is a substantial number of like individual components, lends itself to separate procurement (e.g., tape drives, disc drives, disc packs, etc.).

"Offerors are requested to state in their proposals the extent to which such courses of action would affect any commitment made by the offeror as to performance of the proposed system, or as to any aspect of pricing."

In addition, the following clause shall be used in all solicitations and/or contracts for ADPE, unless the agency determines that it is in the best interest of the Government to hold the contractor liable for consequential damages.

"The contractor shall not be liable by reason of this clause, nor by reason of implied or statutory warranties for consequential damages suffered by the Government as a result of a failure of the supplies or services furnished to the Government to conform to the specification requirements of the contract.

"Nothing in this limitation shall serve to release the contractor or any subcontractor from liability for the negligence of the contractor or that of any subcontractor which

results in liability of the Government to third persons."

(4) Where reference material is to be provided for use in preparation of proposals, insert either of the following clauses:

(A) To assist offerors in preparing their proposals, reference material consisting of (insert title or description of publications, specifications, drawings, reports, or other documentation being made available as reference material) will be available for inspection at ----- Offerors are expected to examine all reference material prior to preparation and submission of their proposals. Failure to do so will be at the offeror's risk.

or

(B) To assist offerors in preparing their proposals, reference material consisting of (insert title or description of publications, specifications, drawings, reports or other documentation being furnished as reference material) is enclosed (is being forwarded to you under separate cover). Offerors are expected to examine all reference material prior to preparation and submission of their proposal. Failure to do so will be at the offeror's risk.

Include the following statement if the reference material is to be returned to the Government:

All reference material furnished hereunder shall be returned within ---- days after the submission of proposals to -----

(5) A statement regarding discount provisions.

(6) When telegraphic offers are authorized in a solicitation using standard form 33 (solicitation, offer, and award), a provision similar to that set forth in FPR 1-2.202-2 can be included.

(7) A statement that in the event the proposal should contain classified information, the provisions of the HEW security staff manual will apply.

(8) If options are to be solicited, include the following or similar language describing the method by which the Government will evaluate the option:

If the Government elects to exercise the option simultaneously with award, proposals will be evaluated for purposes of award on the basis of the total price for the basic quantity plus the option quantity to be exercised with award.

If the Government does not elect to exercise the option with award, evaluation will be on the basis of the quantity to be awarded exclusive of the option quantity.

(9) If an incentive type contract is being considered, a notice to the offeror of the Government's desire as to use of incentives considered applicable, objectives of the incentive performance goals, schedules, milestones, critical delivery parameters and similar information shall be included.

(11) **Technical Proposal Instructions.**—The technical evaluation criteria and the relative weightings of each factor must be included in the RFP. It should be noted that the RFP evaluation criteria cannot be modified except for a formal modification to the RFP and no factors other than those set forth in the request for proposals shall be used in the evaluation of technical proposals. The following are examples of technical evaluation criteria that can be used in the evaluation of technical proposals and the information that can be requested:

(1) Understanding the problem and technical approach.

(A) Statement and discussion of the requirements as it is analyzed by the offeror.

(B) Prospective contractor's proposed definitive Scope of Work with explanation of technical approaches and a detailed outline of the proposed program for executing the

requirements of the technical scope and achieving the objectives of the project.

(C) Preliminary layouts, sketches, diagrams, other graphic representation calculations, curves, and other data as may be necessary for presentation, substantiation, justification or understanding of the proposed approaches and program.

(D) Statement and discussion of anticipated major difficulties and problem areas, together with potential or recommended approaches for their resolution.

(E) Statement of the extent to which the proposed approach and program can be expected to meet or exceed requirements and specifications of the technical scope.

A differentiation shall be made between the areas of assured compliance, possible but not assured compliance, and noncompliance.

(F) An outline of the phases or segments into which the proposed program can be logically divided and performed if for some substantial reason they are different from the phases or segments shown in the technical scope.

(G) Schedule for the completion of the work and delivery of items specified in the technical scope. Performance or delivery schedules shall be indicated for phases or segments, as applicable, as well as for the overall program. Schedules shall be shown in terms of calendar months from the date of authorization to proceed or, where applicable, from the date of a stated event, as for example, receipt of a required approval by the contracting officer. Unless the request for proposal indicates that the stipulated schedules are mandatory, they shall be treated as desired or recommended schedules. In this event, proposals based upon the offeror's best alternative schedule, involving no overtime, extra shift or other premium, will be accepted for consideration.

**(3) Qualifications.**

(A) **Experience.**—General background, experience, and qualifications of the offeror. Special notation should be made of similar or related Government programs, performed for the Government including documentation with reference to the applicable contract numbers and supervising cognizant agencies.

(B) **Personnel.**—Personnel who will be assigned for direct work on this program. Information is required which will show the composition of the task or work group, its general qualifications, and recent experience with similar equipment or programs. Special mention shall be made direct technical supervisors and key technical personnel, and the approximate percentage of the total time each will be available for this program. Resumes are desirable which will indicate education, background, recent experience, and specific scientific or technical accomplishments.

Additional personnel, if any, who will be required for full-time employment, or on a subcontract or consultant basis. The technical areas, character, and extent of subcontract or consultant activity will be indicated and the anticipated sources will be specified and qualified.

In addition to the evaluation criteria and the relative weightings, these technical proposal instructions must include the following statement:

Proposals which merely offer to conduct a program in accordance with the requirements of the Government's scope of work will be considered nonresponsive to this request and will not be considered further. The offeror must submit a definitive scope of work in accordance with his proposal for the end results that he proposes to accomplish in compliance with the Government's requirements.

## PROPOSED RULES

(iii) **Business proposal instructions.**—The business proposal instruction will consist of three parts: (1) Cost and Pricing Data. The forms to be used are optional form 59, contract pricing proposal, or optional form 60, contract pricing proposal (research and development). The forms are illustrated in FPR 1-16.902-OF59 and 1-16.902-OF60. The instructions to offerors and footnotes must be complied with and the appropriate boxes checked or filled in by the offeror.

## (2) Other Administrative Data.

## (3) Representations and Certifications.

(A) **Cost and pricing data.**—The offeror, as a minimum, must submit cost proposals fully supported by cost and pricing data adequate to establish the reasonableness of the proposed amount. The attached form OF59 or 60 must be used in the preparation of your proposal and the offeror must comply with the instructions and footnotes of the form and fill in or check the appropriate boxes.

(4) The offeror, as a minimum, must submit cost proposals fully supported by cost and pricing data adequate to establish the reasonableness of the proposed amount.

(A) The cost for individual elements, such as analytical studies, reports, etc., shall be itemized.

(B) The estimated cost of each phase or segment of the offered performance shall be itemized.

(C) Inasmuch as it may be necessary to authorize performance of the project by phases or a group of phases, the extent that these are severable should be indicated together with the effect, if any, of such severance upon the estimated cost.

The following shall be set forth under the item entitled "Other Administrative Data."

## OTHER ADMINISTRATIVE DATA

(1) The proposal shall stipulate that it is predicated upon all the terms and conditions of this RFP. In addition, it shall contain a statement to the effect that it is firm for a period of at least (insert number of days) from the date of receipt thereof by the Government.

(2) The proposal shall list the names and telephone numbers of persons authorized to conduct negotiations.

(3) It is HEW policy that contractors will provide all equipment and facilities necessary for performance of contracts. Exception may be granted to furnish Government-owned property, or to authorize purchase with contract funds only when approved by the head of the procuring activity. If additional equipment must be acquired, the offeror shall include the description, estimated cost of each item, and whether the prospective offeror will furnish such items with its own funds.

(4) The offeror shall identify Government-owned property in their possession and/or property acquired from Federal funds, and title to which vests in the offeror which they propose to use in the performance of the prospective contract (§§ 3-56.502 and 3-56.503).

(5) The management and control of any Government property shall be in accordance with HEW Publication (OS) 72-74, entitled, "Management of Government-Owned Personal Property Held by HEW Contractors," a copy of which will be provided upon request.

(6) The following statement should also be included in the RFP when necessary:

Bid guarantee, performance bond and payment bond requirements, if any. If a bid bond or other form of bid guarantee is required the solicitation shall include the provision required by FPR 1-10.103-3 (if applicable).

(7) Other pertinent business and administrative information can also be requested

if the information desired is necessary for the evaluation of proposals.

The following representations and certifications shall be included in all requests for proposals as attachments which do not contain standard form 33 or 33A.

The heading of the representations and certifications shall state: Copies of the attachment must be executed by an official authorized to bind the offeror and made a part of his business proposal.

## REPRESENTATIONS AND CERTIFICATIONS

(The offeror makes the following representations and certifications as part of his proposal (check or complete appropriate boxes or blanks).)

## 1. SMALL BUSINESS REPRESENTATION

He ( ) is, ( ) is not, a small business concern. If he is a small business concern and is not the manufacturer of the supplies to be furnished hereunder, he also represents that all such supplies ( ) will, ( ) will not, be manufactured or produced by a small business concern in the United States, its possessions, or Puerto Rico. If a small business concern, contractor represents that he ( ) has, ( ) has not, previously been denied a Small Business Certificate of Competency by the Small Business Administration. (A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operation in which it is contracting and can further qualify under the criteria concerning number of employees, average annual receipts, or other criteria, as prescribed by the Small Business Administration.) (See Code of Federal Regulations, Title 13, Part 12, as amended, which contains detailed definitions and related procedures.)

NOTE.—The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

## 2. TYPE OF ORGANIZATION

He operates as an ( ) Individual, ( ) State or Local Agency, ( ) Partnership, ( ) Joint Venture, ( ) Nonprofit, ( ) Educational Institution, ( ) Corporation organized and existing under the laws of the State of \_\_\_\_\_.

## 3. REGULAR DEALER—MANUFACTURER REPRESENTATION

(Applicable only to supply contracts exceeding \$10,000.) He is a ( ) regular dealer in ( ) manufacturer of, the supplies covered by this proposal.

## 4. CONTINGENT FEE REPRESENTATION

(Applicable only to proposals in which the aggregate amount involved exceeds \$2,500.) Offeror represents: (a) That he ( ) has, ( ) has not, employed or retained any company or person (other than a full-time bona fide employee working solely for the offeror) to solicit or secure this contract, and (b) that he ( ) has, ( ) has not, paid or agreed to pay any company or person (other than a full-time bona fide employee working solely for the offeror) any fee, commission, percentage or brokerage fee, contingent upon or resulting from the award of this contract; and agrees to furnish information relating too (a) and (b) above as requested by the contracting officer. (NOTE.—For interpretation of representation, including the term "bona fide employee," see Code of Federal Regulations, Title 41, Chapter 1, Subpart 1-1.5.)

## 5. EQUAL OPPORTUNITY CERTIFICATION

a. Have you participated in any contractual agreement which contained the Equal Employment Opportunity Clause prescribed in Executive Orders 10925, 1114, or 11246?

( ) Yes. ( ) No.

b. Were you required pursuant to the rules and regulations of Equal Employment Opportunity (41 CFR 60-1) to file a compliance report as the result of such contractual agreement?

( ) Yes. ( ) No. If "Yes," answer question (c).

c. Did you file the necessary compliance report in accordance with the instructions contained on the appropriate report form—SF-40, SF-41, or EEO-1 (SF-100)?

( ) Yes. ( ) No. If "Yes," answer question (d).

d. Name of agency requiring report \_\_\_\_\_

e. When was report filed? \_\_\_\_\_

f. Has any action been required of you to improve your compliance posture?

( ) Yes. ( ) No.

g. Name and address of Government "Compliance Agency," if known: \_\_\_\_\_

h. What is your current employment? \_\_\_\_\_

i. Have you prepared a written affirmative action compliance program?

( ) Yes. ( ) No. If "No," reason for this is:

( ) Offeror is an agency or instrumental-ity of state or local government.

( ) Offeror employs less than 50 persons.

( ) Offeror has not been awarded a Federal contract or subcontract of \$50,000 or more since July 1, 1968.

j. Data on subcontractors.—(Use supplementary sheets where required.)

Name of subcontractor and address	(1)	(2)	(3)
_____	( ) Yes ( ) No	( ) Yes ( ) No	( ) Yes ( ) No
_____	( ) Yes ( ) No	( ) Yes ( ) No	( ) Yes ( ) No

(1) Previously held contracts subject to E.O. 10925, 1114, and 11246.

(2) Previously filed certificate of nonsegregated facilities.

(3) Previously filed compliance report (SF-40, SF-41, or EEO-1).

## 6. CERTIFICATION OF NONSEGREGATED FACILITIES

By the submission of this offer, the offeror or subcontractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. He certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The offeror, or subcontractor agrees that a breach of this certification is a violation of the equal opportunity clause of this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. He further agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certification from proposed



subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause; that he will retain such certifications in his files; and that he will forward the following notice to such proposed subcontractors (except where proposed subcontractors have submitted identical certification for specific time periods).

**NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES**

A certification of nonsegregated facilities, as required by the May 9, 1967, order (32 FR 7439, May 19, 1967) on elimination of segregated facilities, by the Secretary of Labor must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the equal opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

**NOTE.**—Failure of an offeror to agree to the certification of nonsegregated facilities shall render his offer nonresponsive to the terms of solicitations involving awards of contracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause.

**7. BUY AMERICAN CERTIFICATE**

(Applies to proposals involving end products as defined by FPR 1-6.101.) The offeror hereby certifies that each end product, except the end product listed below, is a domestic source end product (as defined in the clause entitled "Buy American Act"); and that components of unknown origin have been considered to have been mined, produced, or manufactured outside the United States:

Excluded end products (show country of origin for each excluded end product).

**8. DUPLICATION OF COST**

The contractor represents and certifies that any charges contemplated and included in his estimate of cost for performance are not duplicative of any charges against any other Government contract, subcontract, or other Government source.

**9. PLACE OF PERFORMANCE**

Following is the name and location of the plant or place of business where the item(s) will be produced or supplied from stock or where the service will be performed.

Name of plant) (City and State)  
(County and congressional district)

**10. CERTIFICATE OF CURRENT COST OR PRICING DATA**

When a certificate of cost or pricing data is required to be submitted in accordance with Federal procurement regulation (FPR) 1-3.807-3, the contractor agrees to complete, execute, and submit to the contracting officer the following:

**CERTIFICATE OF CURRENT COST OR PRICING DATA**

This is to certify that to the best of my knowledge and belief, cost or pricing data:

<sup>1</sup>For definition of "cost or pricing data," see FPR § 1-3.807-3.

submitted in writing, or specifically identified in writing if actual submission of the data is impracticable (see § 1-3.807-3(h)(2)), to the contracting officer or his representative in support of \_\_\_\_\_<sup>2</sup> are accurate, complete, and current as of \_\_\_\_\_<sup>3</sup>

(date)

Firm \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

(Date of execution)

Describe the proposal, quotation, or other submission involved, giving appropriate identifying number (e.g., RFP No. \_\_\_\_\_).

The above certification shall be submitted as soon as practicable after agreement is reached on any proposed contract cost or price.

**11. CERTIFICATION OF INDEPENDENT PRICE DETERMINATION**

a. By submission of this proposal, each offeror certifies and in the case of a joint bid or proposal, each party thereto, certifies as to its own organizations, that in connection with this procurement:

(1) The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other offeror or with any competition;

(2) Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the offeror and will not knowingly be disclosed by the prior to award, directly or indirectly to any other offeror or to any competitor; and

(3) No attempt has been made or will be made by the offeror to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.

b. Each person signing this proposal certifies that:

(1) He is the person in the offeror's organization responsible within that organization for the decision as to the prices being offered herein and that he has not participated, and will not participate, in any action contrary to (a) (1) through (a) (3) above; or

(2) He is not the person in the offeror's organization responsible within that organization for the decision as to prices being offered herein but that he has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to (a) (1) through (a) (3) above, and as their agent does hereby so certify; and (ii) he has not participated, and will not participate, in any action contrary to (a) (1) through (a) (3) above.

<sup>2</sup>Describe the proposal, quotation, request for price adjustments, or other submission involved, giving appropriate identifying number (e.g., RFP No. \_\_\_\_\_).

<sup>3</sup>This date shall be the date when the price negotiations were concluded and the contract price was agreed to. The responsibility of the contractor is not limited by the personal knowledge of the contractor's negotiator if the contractor had information reasonably available (see § 1-3.807-5 (a)) at the time of agreement showing that the negotiated price is not based on accurate, complete, and current data.

<sup>4</sup>This date should be as close as practicable to the date when the price negotiations were concluded and the contract price was agreed upon.

c. This certification is not applicable to a foreign offeror submitting a proposal for a contract which requires performance or delivery outside the United States, its possessions, and Puerto Rico.

d. A proposal will not be considered for award where (a) (1), (a) (3), or (b) above has been deleted or modified. Where (a) (2) above has been deleted or modified, the proposal will not be considered for award unless the offeror furnishes with the proposal a signed statement which sets forth in detail the circumstances of the disclosure and the head of the agency, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

**12. PRICE CERTIFICATION**

(a) By submission of this (offer) (offeror) certifies (1) that he is in compliance and will continue to comply with the requirements of Executive Order 11640, January 26, 1972, or (2) that he is a small business concern (as determined in accordance with the regulations of the Cost of Living Council in 6 CFR 101.51, 37 FR 8339, May 3, 1972) and as such is exempt from wage and price controls (except where health services or construction are involved).

(b) Prior to the payment of invoices under this contract the contractor shall place on or attach to, each invoice submitted, one of the following certifications, as appropriate:

I hereby certify that the amounts involved herein do not exceed the lower of (1) the contract price, or (2) the maximum levels established in accordance with Executive Order 11640, January 26, 1972.

I hereby certify that I am a small business concern employing 60 or fewer employees (as determined in accordance with the regulations of the Cost of Living Council in 6 CFR 101.51, 37 FR 8339, May 3, 1972, and any subsequent amendments) and as such am exempt from wage and price controls as provided by the Council's regulation.

(c) The contractor agrees to insert the substance of this clause including this paragraph (c), in all subcontracts for services or supplies issued under this contract.

To be completed by offeror.

(Name of offeror) (Date)  
(By: Signature) (Date)

**13. DISCLOSURE STATEMENT—COST ACCOUNTING PRACTICES AND CERTIFICATION**

Any contract in excess of \$100,000 resulting from this solicitation, except when the price negotiated is based on: (a) Established catalog or market prices of commercial items sold in substantial quantities to the general public, or (b) prices set by law or regulation, shall be subject to the requirements of the Cost Accounting Standards Board. Any offeror submitting a proposal which, if accepted, will result in a contract subject to the requirements of the Cost Accounting Standards Board must, as a condition of contracting, submit a disclosure statement as required by regulations of the Board. The disclosure statement must be submitted as a part of the offeror's proposal under this solicitation (see 1, below) unless (i) the offeror, together with all divisions, subsidiaries, and affiliates under common control, did not receive net awards of negotiated defense prime contracts during the period July 1, 1970, through June 30, 1971, totaling more than \$30 million (see 2, below), (ii) the offeror has already submitted a disclosure statement disclosing the practices used in connection with the pricing of this proposal (see 3, below) or (iii) postaward submission has been authorized by the contracting officer.

**CAUTION.**—A practice disclosed in a disclosure statement shall not, by virtue of such

disclosure, be deemed to be a proper, approved, or agreed to practice for pricing proposals or accumulating and reporting contract performance cost data.

(1) 1. CERTIFICATION OF CONCURRENT SUBMISSION OF DISCLOSURE STATEMENTS

The offeror hereby certifies that he has submitted, as a part of his proposal under this solicitation, copies of the disclosure statements as follows: (i) Original and one copy to the cognizant contracting officer; (ii) one copy to the cognizant contract auditor; and (iii) one copy to the Cost Accounting Standards Board, 441 G Street NW., Washington, D.C. 20548.

Date of disclosure statement	Name and address of cognizant contracting officers where filed
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The offeror further certifies that practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the disclosure statements.

(2) 2. CERTIFICATION OF MONETARY EXEMPTION

The offeror hereby certifies that, together with all divisions, subsidiaries, and affiliates under common control, he did not receive net awards of negotiated national defense prime contracts during July 1, 1970, through June 30, 1971, totaling more than \$30 million.

(3) 3. CERTIFICATE OF PREVIOUSLY SUBMITTED DISCLOSURE STATEMENTS

The offeror hereby certifies that the disclosure statements were filed, as follows:

Date of disclosure statement	Name and address of cognizant contracting officers where filed
------------------------------	--

The offeror further certifies that practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in this disclosure statement.

(1) *Noncompetitive procurements.*—For noncompetitive procurements, the RFP shall include the transmittal letter, the offeror's representations and certifications, and the instructions relative to cost and pricing data. The following are the minimum instructions that should be included in the RFP.

INSTRUCTIONS TO OFFEROR

The following instructions establish the acceptable minimum requirements for the format and content of proposals. Special attention is directed to the requirements for technical and business proposals to be submitted in accordance with instructions herein.

GENERAL INSTRUCTIONS

(1) The proposal shall be based on a ----- type of contract. In addition to

the special provisions of this solicitation, any ensuing contract will include the general provisions for -----

Any additional clauses required by public law, Executive order, or procurement regulations, in effect at the time of execution of the proposed contract, will be included.

(2) The proposal shall be signed by an official authorized to bind your organization. ----- copies of your proposal shall be submitted to:

(Insert complete address as to where the proposal is to be sent and mailing instructions.)

(3) You may, at your discretion, submit alternative proposals, or proposals which deviate from the requirements: *Provided*, That you also submit a proposal for performance of the work as specified in the statement of work. Such proposals may be considered if overall performance would be improved or not compromised; and if they are in the best interests of the Government. Alternative proposals, or deviations from any requirements of this solicitation shall be clearly identified.

(4) The proposal submitted in response to the request for proposal may contain technical data which you or your subcontractor(s) do not want used or disclosed for any purpose other than evaluation of your proposal. The use and disclosure of any such data may be so restricted; *Provided*, That you mark the cover sheet of the proposal with the following legend, specifying the pages of the proposal which are to be restricted in accordance with the conditions of the legend.

"Technical data contained in pages ----- of this proposal shall not be used or disclosed, except for evaluation purposes, *Provided*, That if a contract is awarded to this offeror as a result of or in connection with the submission of this proposal the Government shall have the right to use or disclose this technical data to the extent provided in the contract. This restriction does not limit the Government's right to use or disclose technical data obtained from another source without restriction."

The Government assumes no liability for disclosure or use of unmarked technical data and may use or disclose the data for any purpose and may consider that the proposal was not submitted in confidence and therefore releasable under the Freedom of Information Act (5 U.S.C. 552).

(5) The Government reserves the right to reject any or all proposals received. It is understood that your proposal will become a part of the official file on this matter without obligation to the Government.

[FR Doc.73-7560 Filed 4-18-73;8:45 am]

## DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 69-18; Notice 17]

### LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

#### Further Notice on Flasher Requirements

The purpose of this notice is to advise interested persons that rulemaking on turn signal and hazard warning signal flashers will not take place without further notice and opportunity to comment.

By a notice published on November 3, 1972 (37 FR 23460), the National Highway Traffic Safety Administration proposed an amendment of the flasher requirements of motor vehicle safety standard No. 108. The requirements proposed were those established by an amendment published on August 28, 1971 (36 FR 13743), and deleted on October 3, 1972 (37 FR 20595), pursuant to the decision of the U.S. Court of Appeals (*Wagner Elec. Corp. v. Volpe*, 466 F. 2d 1013 (3d Cir. 1972)). Identical requirements were also proposed on October 25, 1972, as paragraph S11. of a comprehensive revision of standard No. 108 to be effective at a later date (docket No. 69-19; notice 3, 37 FR 22801).

Many comments were received on the November 3 proposal, most of which opposed the proposed amendment on various grounds. The NHTSA has carefully reviewed the issues raised by these comments, and has decided that further research is needed to support a decision as to the appropriate safety requirements for flashers. Until this research has been completed and the results evaluated, the requirements of standard No. 108 with respect to flashers will be left unchanged. Thus, no action will be taken on this subject without further notice and opportunity for comment.

(Secs. 103, 119, Public Law 89-563, 80 Stat. 718, 16 U.S.C. 1392, 1407; delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.)

Issued on April 13, 1973.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.

[FR Doc.73-7549 Filed 4-18-73;8:45 am]

# Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order No. 132]

### ASSISTANT COMMISSIONER (STABILIZATION) ET AL

#### Delegation of Authority Regarding Issuance of Subpoenas With Regard to Certain Rent Stabilization Matters

The authority delegated to the Commissioner of Internal Revenue by Cost of Living Council Order No. 15A in connection with the administration of the Economic Stabilization Act of 1970, as amended, is hereby redelegated to the following officials:

Assistant Commissioner (Stabilization).  
Regional Commissioners.  
Assistant Regional Commissioners (Stabilization).  
District Directors.

The authority delegated herein may be redelegated only by the officials specified in this order and may not be further redelegated.

Date of issue.—April 13, 1973.

Effective date.—April 13, 1973.

[SEAL] JOHNIE M. WALTERS,  
Commissioner.

[FR Doc.73-7582 Filed 4-18-73;8:45 am]

### Office of the Secretary HIGH-SPEED TOOL STEEL FROM SWEDEN

#### Discontinuance of Antidumping Investigation

On October 12, 1971, information was received that high-speed tool steel from Sweden was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

A "Withholding of Appraisement Notice" issued by the Secretary of the Treasury was published in the FEDERAL REGISTER of January 16, 1973 (38 FR 1595). A statement of reasons was published in the notice, and interested persons were afforded an opportunity to make written submissions and to present oral views in connection with the withholding of appraisement.

The notice excluded high-speed tool steel manufactured by Stora Kopparberg AB from the withholding of appraisement because 100 percent of its export sales during the period under consideration were examined, and in every instance, the home market price or constructed value, as appropriate, was found

to be lower than the exporter's sales price of identical merchandise.

Attorneys for another Swedish manufacturer of high-speed tool steel submitted a written request for an opportunity to present views in person in opposition to the withholding of appraisement notice. The opportunity was afforded to the attorneys, and all interested persons were notified and were represented.

After consideration of all written and oral arguments presented, I hereby discontinue the antidumping investigation of high-speed tool steel from Sweden.

*Statement of reasons on which this discontinuance of antidumping investigation is based.*—The information before the Bureau of Customs indicates that the proper basis of comparison for fair value purposes is between exporter's sales price and the adjusted home market price of such or similar merchandise, or between exporter's sales price and constructed value, as appropriate.

Exporter's sales price was calculated on the basis of the resale price of the related firm to unrelated purchasers in the United States. Deductions were made for selling expenses, cash discounts, ocean freight and insurance, customs brokerage and clearance charges, loading charges, U.S. duty, and processing costs, as appropriate.

Home market price was calculated on a delivered customer's premises price. Deductions were made for quantity discounts, inland freight, and insurance. Adjustments were made for commissions, technical assistance, and packing, and for differences in size, finish, and tolerance of the merchandise, as appropriate.

Constructed value was based on the actual costs of materials and labor incurred by the manufacturer with appropriate additions for general expenses and profit.

The comparisons revealed some instances where exporter's sales price was lower than the adjusted home market price of such or similar merchandise. However, these were determined to be minimal in terms of the volume of export sales involved. In addition, formal assurances were received that no future sales at less than fair value within the meaning of the Act would be made. During the period under consideration, 100 percent of Swedish export sales to the United States were examined.

The facts recited above constitute evidence warranting the discontinuance of the antidumping investigation of high-speed tool steel from Sweden.

Stora Kopparberg AB, which was excluded from the withholding of appraisement, is likewise excluded from this discontinuance and exempted from the reporting requirements under section 153.15(f), "Customs Regulations" (19 CFR 153.15(f)).

This "Discontinuance of Antidumping Investigation" is published pursuant to § 153.15(e), "Customs Regulations" (19 CFR 153.15(e)).

[SEAL] EDWARD L. MORGAN,  
Assistant Secretary of the Treasury.

APRIL 17, 1973.

[FR Doc.73-7711 Filed 4-18-73;9:32 am]

### PRINTED VINYL FILM FROM ARGENTINA

#### Antidumping; Determination of Sales at Less Than Fair Value

Information was received on April 18, 1972, that printed vinyl film from Argentina was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

A "Withholding of Appraisement Notice" issued by the Secretary of the Treasury was published in the FEDERAL REGISTER of January 18, 1973 (38 FR 1953).

I hereby determine that for the reasons stated below, printed vinyl film from Argentina is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

*Statement of reasons on which this determination is based.*—The information before the Bureau of Customs reveals that the proper basis of comparison for fair value purposes is between purchase price and adjusted home market price of such or similar merchandise.

Purchase price was calculated on the basis of a c.i.f., duty-paid delivered price, with deductions for freight, insurance, brokerage fees, U.S. duty, and included inland freight charges. An addition was made for taxes and import duties rebated or not collected by reason of exportation to the United States.

Home market price was calculated on the basis of a delivered price with a deduction made for a trade discount and inland freight charges. Adjustments were made for interest expense, commissions, exchange rate costs, and differences in the merchandise.

Using the above criteria, purchase price was found to be lower than the adjusted

home market price of such or similar merchandise.

The U.S. Tariff Commission is being advised of this determination.

This determination is being published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

[SEAL] EDWARD L. MORGAN,  
Assistant Secretary of the Treasury.

APRIL 17, 1973.

[FR Doc.73-7710 Filed 4-18-73;9:32 am]

#### PRINTED VINYL FILM FROM BRAZIL

##### Antidumping; Determination of Sales at Less Than Fair Value

Information was received on April 18, 1972, that printed vinyl film from Brazil was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

A "Withholding of Appraisement Notice" issued by the Secretary of the Treasury was published in the FEDERAL REGISTER of January 18, 1973 (38 FR 1953).

I hereby determine that for the reasons stated below, printed vinyl film from Brazil is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

*Statement of reasons on which this determination is based.*—The information before the Bureau of Customs reveals that the proper basis of comparison for fair value purposes is between purchase price and adjusted home market price of such or similar merchandise.

Purchase price was calculated on the basis of a C and F price with deductions made for ocean freight and inland freight charges. An addition was made for import duties and taxes rebated or not collected by reason of the exportation to the United States.

Home market price was calculated on the basis of the weighted-average of delivered prices with deductions made for inland freight and transportation insurance. Adjustments were made for sales commission, returned goods, interest expense, production cost differences, packing cost differences, and sales taxes.

Using the above criteria, purchase price was found to be lower than the adjusted home market price of such or similar merchandise.

The U.S. Tariff Commission is being advised of this determination.

This determination is being published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

[SEAL] EDWARD L. MORGAN,  
Assistant Secretary of the Treasury.

APRIL 17, 1973.

[FR Doc.73-7709 Filed 4-18-73;9:32 am]

## DEPARTMENT OF JUSTICE

### Bureau of Narcotics and Dangerous Drugs MANUFACTURE OF PANTOPON, MIXED ALKALOIDS OF OPIUM

#### Approval of Application

On February 2, 1973, the Bureau of Narcotics and Dangerous Drugs, pursuant to § 301.43 of title 21 of the Code of Federal Regulations published a notice of application in the FEDERAL REGISTER (38 FR 3195)<sup>1</sup> that S. B. Penick & Co., 100 Church Street, New York, N.Y., made application to be registered as a bulk manufacturer of Pantopon, also known as mixed alkaloids of opium, a basic class of narcotic controlled substance listed in schedule II.

Persons registered to manufacture Pantopon in bulk were afforded an opportunity to file written comments on or objections to the issuance of the proposed registration on or before March 5, 1973. No comments or objections were received by the Bureau.

The Director of the Bureau of Narcotics and Dangerous Drugs, pursuant to the authority vested in the Attorney General by section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 823) and delegated to the Director of the Bureau of Narcotics and Dangerous Drugs by § 0.100 of title 28 of the Code of Federal Regulations hereby gives notice that the application of S. B. Penick & Co. for registration as a bulk manufacturer of Pantopon has been approved.

Dated April 12, 1973.

JOHN E. INGERSOLL,  
Director, Bureau of Narcotics  
and Dangerous Drugs.

[FR Doc.73-7553 Filed 4-18-73;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Group 531]

#### ARIZONA

##### Notice of Filing of Plat of Survey

APRIL 12, 1973.

1. Plat of survey of the lands described below, accepted February 15, 1973, will be officially filed in the Arizona State Office, Phoenix, Ariz., effective at 10 a.m., on May 29, 1973.

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 1 N., R. 14 E.,  
Tract 38, containing 122.47 acres;  
Tract 39, containing 49.74 acres.

2. The above survey was executed to accommodate a request of the Department of Agriculture, Forest Service, Albuquerque, N. Mex.; therefore the above-described tracts will be open only to such

<sup>1</sup>NOTE: This notice was inadvertently published as a proposed rule.

forms of disposal as may by law be made of national forest lands.

CHARLES G. BAZAN, Jr.,  
Chief, Branch of  
Records and Data Management.

[FR Doc.73-7527 Filed 4-18-73;8:45 am]

## DEPARTMENT OF AGRICULTURE

### Soil Conservation Service

#### BANKLICK CREEK WATERSHED PROJECT, KENTUCKY

##### Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental statement for the Banklick Creek watershed project, Kenton and Boone Counties, Ky., USDA-SCS-ES-W5-(ADM)-72-25(F).

The environmental statement concerns a plan for watershed protection, flood prevention, and recreation. The planned works of improvement include conservation land treatment throughout the watershed, supplemented by (1) three multiple-purpose structures for flood prevention—one with public recreation and associated recreation facilities, and two with fish and wildlife water; and (2) a single purpose floodwater retarding structure.

Copies are available for inspection during regular working hours at the following locations:

Soil Conservation Service, USDA, South Agriculture Building, room 5237, 14th and Independence Avenue SW., Washington, D.C. 20250

Soil Conservation Service, USDA, 333 Waller Avenue, room 300, Lexington, Ky. 40504

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please order by name and number of statement. The estimated cost is \$5.25.

Copies of the environmental statement have been sent to various Federal, State and local agencies as outlined in the Council on Environmental Quality Guidelines.

WILLIAM B. DAVEY,  
Deputy Administrator for Watersheds, Soil Conservation Service.

APRIL 13, 1973.

[FR Doc.73-7580 Filed 4-18-73;8:45 am]

#### LITTLE CREEK WATERSHED PROJECT, GEORGIA

##### Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental statement

for the Little Creek watershed project, Laurens and Wheeler Counties, Ga., USDA SCS-ES-W5 (ADMO-73-4-CF).

The environmental statement concerns a plan for watershed protection, supplemental irrigation water storage and public recreation. The planned works of improvement include conservation land treatment throughout the watershed, supplemented by (1) 12 single-purpose irrigation water storage reservoirs, and (2) one multiple-purpose reservoir for public recreation and irrigation water storage.

The final environmental statement was transmitted to CEQ on April 11, 1973.

Copies are available for inspection during regular working hours at the following locations:

Soil Conservation Service, USDA, South Agriculture Building, room 5227, 14th and Independence Avenue SW., Washington, D.C. 20250.

Soil Conservation Service, USDA, 468 North Milledge Avenue, Athens, Ga. 30601.

Soil Conservation Service, USDA, Old Bank of Soperton Building, Soperton, Ga. 30457.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please order by name and number of statement. The estimated cost is \$4.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

WILLIAM B. DAVEY,  
Deputy Administrator for Watersheds, Soil Conservation Service.

APRIL 13, 1973.

[FR Doc.73-7581 Filed 4-18-73; 8:45 am]

## DEPARTMENT OF COMMERCE

### Maritime Administration

#### TANKER CONSTRUCTION PROGRAM

##### Economic Viability Analysis

Please take notice that the "Economic Viability Analysis" prepared by the Maritime Subsidy Board, Department of Commerce, pursuant to a stipulation in *Environmental Defense Fund, et al., v. Peterson, et al.*, U.S. District Court for the District of Columbia, Civil Action No. 2164-72, has been completed and is available for examination in the office of the Secretary, room 3099-B, Maritime Administration, Department of Commerce, 14th and E Streets NW., Washington, D.C. 20235. Copies may be obtained from the Secretary upon payment of \$7.50 by check or money order made payable to "Maritime Adm.-Commerce" to offset cost of reproduction.

The analysis, adopted April 13, 1973, contains a study of certain design features for tankers and the feasibility for incorporating the same into certain existing "contract vessels" as defined in the above-noted litigation.

By order of the Acting Assistant Secretary of Commerce for Maritime Affairs.

Dated April 16, 1973.

JAMES S. DAWSON, Jr.,  
Secretary.

[FR Doc.73-7703 Filed 4-18-73; 8:45 am]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Advisory Circular 70/7460-1]

#### OBSTRUCTION MARKING AND LIGHTING

##### Extension of Comment Period

Public notice was given on March 1, 1973, of the Federal Aviation Administration proposal that would amend its standards to include the use of high intensity (strobe) obstruction lighting systems on skeletal structures. In addition, the FAA proposes to delete the recommended practice of obstruction marking skeletal structures with aviation surface orange and white paint when strobe lighting systems are employed. The notice provided interested parties an opportunity to comment on the proposed changes. Interested parties were invited to participate by submitting such written data, views, or arguments as they might desire. Written comments were to have been submitted prior to April 15, 1973. Subsequently, interested persons have requested additional time in which to prepare their comments. Therefore, the period for comments is hereby extended to May 15, 1973.

Issued in Washington, D.C., on April 12, 1973.

RAYMOND G. BELANGER,  
Acting Director,  
Air Traffic Service.

[FR Doc.73-7567 Filed 4-18-73; 8:45 am]

## ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-295, 50-304]

### COMMONWEALTH EDISON CO.

#### Notice of Resumption of Hearing

Take notice that the evidentiary hearing on radiological health and safety issues, which had been recessed on April 10 due to the sudden illness of one of the parties, will resume at 9:30 a.m. local time, Tuesday, April 24, 1973, in the City Council Chambers, Waukegan City Hall, 106 North Utica Street, Waukegan, Ill. 60085.

As set forth in prior published notices, the purpose of this hearing is to consider the filed application of the Commonwealth Edison Co. for facility operating licenses that would authorize the operation of pressurized water reactors, to be known as the Zion Nuclear Power Station, Units 1 and 2, at the applicant's site in Lake County, Ill. The environmental issues portion of the hearing will immediately follow the health and safety portion.

The hearings will be in session each week from Tuesday through Friday, 9:30 a.m. to 5 p.m., local time, each day, and will continue until completed.

All interested members of the public are invited to attend the hearing.

Issued at Washington, D.C., this 13th day of April 1973.

For the Atomic Safety and Licensing Board.

THOMAS W. REILLY,  
Chairman.

[FR Doc.73-7549 Filed 4-18-73; 8:45 am]

[Dockets Nos. 50-277, 50-278]

## PHILADELPHIA ELECTRIC CO. ET AL.

### Notice of Reconstitution of Board

In the matter of Philadelphia Electric Co., et al. (Peach Bottom Atomic Power Station, Units 2 and 3).

Dr. Dale F. Babcock, a technical member of this Board, has asked permission to be relieved from his duties on this Board for personal reasons.

Dr. Kenneth A. McCollom, the qualified alternate technical member of this Board, is hereby appointed as a technical member of this Board.

Dated at Washington, D.C., this 13th day of April 1973.

NATHANIEL H. GOODRICH,  
Chairman, Atomic Safety  
and Licensing Board Panel.

[FR Doc.73-7547 Filed 4-18-73; 8:45 am]

## GENERAL ADVISORY COMMITTEE

### Notice of Meeting

APRIL 17, 1973.

In accordance with the purposes of section 26 of the Atomic Energy Act, the General Advisory Committee will hold a meeting on May 9-11, 1973, in Germantown, Md., and at room 1115, 1717 H Street NW., Washington, D.C.

The following constitutes that portion of the Committee's agenda for the above meeting which will be open to the public:

(1) Thursday, May 10, 10 a.m.-11 a.m., room 1115, 1717 H Street NW., Washington, D.C.—"Status of Californium-252 Program," Frank P. Baranowski, Director, Division of Production and Materials Management.

(2) Thursday, May 10, 11 a.m.-12:30 p.m., room 1115, 1717 H Street NW., Washington, D.C.—"Status of Nuclear Waste Management Program," Frank K. Pittman, Director, Division of Waste Management and Transportation.

In addition to the above agenda items, the Committee will hold executive sessions not open to the public, under the authority of section 10(d) of Public Law 92-463 (the Federal Advisory Committee Act), to formulate recommendations on the above topics and other matters.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in agenda items (1) and (2) listed above, the following requirements shall apply:

(a) Persons wishing to submit written statements on the agenda items listed above may do so by mailing 12 copies thereof, postmarked no later than May 1, 1973, to the Secretary, General Advisory Committee, U.S. Atomic Energy Commission, Washington, D.C. 20545.

(b) Questions may be propounded only by members of the Committee.

(c) Seating for the public will be available on a first-come-first-served basis.

(d) Copies of minutes of public sessions will be made available for copying, in accordance with the Federal Advisory Committee Act, on or after June 11, 1973, at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C., upon payment of all charges required by law.

JOHN V. VINCIGUERRA,  
Advisory Committee  
Management Officer.

[FR Doc.73-7681 Filed 4-18-73;8:45 am]

[Docket No. 50-322]

#### LONG ISLAND LIGHTING CO.

##### Notice of Issuance of Provisional Construction Permit

Notice is hereby given that, pursuant to the initial decision of the Atomic Safety and Licensing Board, dated April 12, 1973, the Deputy Director for Reactor Projects has issued provisional construction permit No. CPPR-95 to the Long Island Lighting Co. for construction of a boiling water nuclear reactor at the Long Island Lighting Co.'s site on the north shore of Long Island in the town of Brookhaven, Suffolk County, N.Y. The proposed reactor, known as the Shoreham Nuclear Power Station, unit 1, is designed to operate at 2,436 megawatts (thermal) with a net electrical output of approximately 820 megawatts.

A copy of the initial decision and of the provisional construction permit are on file in the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545, and at the Comsewogue Public Library, 170 Terryville Road, Port Jefferson, N.Y. 11776.

Dated at Bethesda, Md., this 14th day of April 1973.

For the Atomic Energy Commission.

STEVEN A. VARGA,  
Acting Chief, Gas Cooled Reactors Branch, Directorate of Licensing.

[FR Doc.73-7559 Filed 4-18-73;8:45 am]

## CIVIL AERONAUTICS BOARD

[Order 73-4-57]

### TRANSPORTATION OF HOUSEHOLD GOODS FOR DEPARTMENT OF DEFENSE Order Granting Extension of Temporary Relief

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 12th day of April 1973.

From time to time, at the request of the Department of Defense (DOD), the Board has granted relief from provisions of the Federal Aviation Act of 1958 (the Act) to permit 40 unauthorized indirect air carriers to transport used household goods<sup>1</sup> of Department of Defense personnel. A condition for obtaining such relief was that the firm seeking it have on file with the Board an application for air freight forwarder authority. The relief is to expire 180 days after the Board's decision in the "Household Goods Air Freight Forwarder Investigation," docket 20812, became final<sup>2</sup> or, as to each individual company, upon Board disposition of such company's application for interstate and/or international air freight forwarder authority, whichever event shall occur first.<sup>3</sup>

It appears that processing of the applications of the 18 applicants named in the appendix below will not be concluded prior to the expiration of the temporary relief.

By letter dated April 5, 1973, the Department of the Army, acting in behalf of DOD, requested that the Board extend the expiration date of the temporary relief for a reasonable period in those cases not processed within the time limit previously set. The Board notes that failure to extend the relief may result in cancellation by DOD of contracts with these applicants, thus eliminating an important source of revenue for these carriers. Moreover, cancellation of these contracts may well curtail the availability of a valuable public service for personnel of DOD. In view of DOD's request and these considerations, the Board finds that an extension of the temporary relief to those carriers named in the appendix hereto is in the public interest, and has decided

<sup>1</sup> The term "used household goods" means personal effects (including unaccompanied baggage) and property used or to be used in a dwelling, when a part of the equipment or the supply of such dwelling, but specifically excludes (1) furniture, fixtures, equipment, and the property of stores, offices, museums, institutions, hospitals, or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals, or other establishments, and (2) objects of art (other than personal effects), displays and exhibits.

<sup>2</sup> Order on reconsideration issued Oct. 16, 1972. Temporary relief to expire Apr. 16, 1973.

<sup>3</sup> Order 71-10-56, dated Oct. 13, 1971.

to extend such relief for a period of 90 days from April 16, 1973.

Accordingly, it is ordered:

1. That, pursuant to sections 101(3) and 204 of the Federal Aviation Act of 1958, as amended, the carriers listed in the appendix below are hereby relieved from the provisions of title IV of the Act to the extent necessary to transport by air used household goods of personnel of DOD upon tender by that Department;

2. That the relief granted herein shall become effective April 17, 1973, and terminate on July 16, 1973, or, as to each individual company named in the appendix below, upon Board disposition of such company's application for interstate and/or international air freight forwarder authority, whichever event shall occur first;

3. That this order may be amended or revoked at any time in the discretion of the Board without hearing; and

4. That copies of this order shall be served on the Military Traffic Management and Terminal Service, U.S. Army, and the companies listed in the appendix below.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

#### APPENDIX

Aero Mayflower Transit Co., Inc., P.O. Box 107B, Indianapolis, Ind. 46206.  
Allied Van Lines, Inc., 25th Avenue at Roosevelt Road, P.O. Box 4403, Chicago, Ill. 60680.  
Astro Van-Pak, Inc., 621 South Picket Street, Alexandria, Va. 22304.  
Atlas Van Lines International Corp., 1213 St. George Road, P.O. Box 509, Evansville, Ind. 47711.  
Burnham Van Service, Inc., 1636 Second Avenue, Box 1125, Columbus, Ga. 31902.  
CTI Container Transport International, Inc., 17 Battery Place, New York, N.Y. 10004.  
Garrett Forwarding Co., 2055 Garrett Way, P.O. Box 4048, Pocatello, Idaho 83201.  
Higa Fast Pac, Inc., 465 California Street, San Francisco, Calif. 94104.  
National Van Lines, Inc., 2800 Roosevelt Road, Broadview, Ill. 60153.  
North American Van Lines, Inc., P.O. Box 988, Fort Wayne, Ind. 46801.  
Perfect Pak Co., 12169 Ventura Boulevard, Studio City, Calif. 91604.  
Pyramid Van Lines, Inc., 479 South Airport Boulevard, South San Francisco, Calif. 94080.  
Republic Van & Storage Co., Inc., P.O. Box 8615, 9219 Harford Road, Baltimore, Md. 21234.  
Rocky Ford Moving Vans, Inc., 510 South Big Spring, P.O. Box 11, Midland, Tex. 79701.  
Smyth Worldwide Movers, Inc., 11616 Aurora Avenue, North Seattle, Wash. 98133.  
Trans-American Van Lines, Inc., 8900 South Freeway, Fort Worth, Tex. 76134.  
Tucor Services (formerly Getz Bros. and Co., U.S.), 640 Sacramento Street, San Francisco, Calif. 94111.  
United Van Lines, Inc., No. 1 United Drive, Fenton Street, St. Louis, Mo. 63026.

[FR Doc.73-7564 Filed 4-18-73;8:45 am]



[Docket No. 22973; order 73-4-63]

# **NEW ENGLAND SERVICE INVESTIGATION**

## **Order Regarding Commuter Air Service**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of April 1973.

The issues in this proceeding encompass, *inter alia*, the alternatives of whether the Board should (1) order certificated carriers whose services have been suspended either to reinstitute service or to continue or enter into additional certificated-carrier commuter-carrier suspension-substitution arrangements; (2) issue certificates of public convenience and necessity to commuter air carriers (i.e., that class of air taxi operators so defined in pt. 298 of the Board's economic regulations) to conduct operations between the city-pair markets at issue with route protection being afforded to such carriers by amending pt. 298 of the economic regulations to preclude air taxi operations in the same markets, or (3) rely upon air taxi operators to provide uncertificated commuter air services in one or more of the markets at issue, or some mixture of these alternatives. However, our orders herein do not in terms specify the possible alternatives of whether the Board should (1) rely upon the services of a designated commuter air carrier (or carriers) in one or more of the city-pair markets at issue pursuant to exemption authority and afford the carrier (or carriers) route protection by an appropriate amendment to pt. 298 to preclude operations by other commuter carriers or continued operations by undesig-nated commuter carriers presently offering commuter air service in the same markets or (2) afford similar route protection to any pt. 298 commuter air carrier conducting operations pursuant to a suspension-substitution arrangement with a presently certificated air carrier.<sup>1</sup>

The basic concept of route protection has been raised in the other possible courses of action explicitly set forth in the orders defining the scope of this proceeding. Hence, the evidence and considerations applicable to these other alternatives would appear to be equally applicable to whether a commuter air carrier selected to provide service pursuant solely to exemption authority either independently or under a suspension-substitution arrangement should be afforded route protection from operations by other air taxi operators. However, to insure that these possibilities also are open to consideration herein and to afford the parties an opportunity to specifically address themselves thereto, the Board has determined to expressly place them in issue and to

permit the filing of additional briefs directed to them.

As indicated, the Board does not anticipate any necessity for further evidentiary hearings concerning these issues, and any person asserting a need therefor will be expected to specify in detail the respects in which the present record is deficient and the nature of the additional evidence which it desires to adduce. Moreover, in light of the matters heretofore expressly placed in issue, the Board does not anticipate that extensive additional briefing will be required or that any substantial delay in the disposition of this proceeding will result from this order.<sup>2</sup> We further find that such delay as may result is outweighed by the benefits of clearly placing before the administrative law judge and the Board all possible alternatives for providing appropriate air service to New England. Finally, we deem 21 days to be an ample period within which to file additional briefs directed to the matters specified herein.

We wish to emphasize that our action herein is intended solely to put before the Board the whole range of possible actions and thereby give it the widest flexibility in designing the best possible pattern of air service in New England. In placing these additional alternatives explicitly at issue in this proceeding, we express no view on their merits, tentative or otherwise.

### **Accordingly, it is ordered That:**

1. Ordering paragraph 1(d) of order 72-1-4, be and it hereby is amended to read as follows:

... (d) whether the exemption of air taxi operators under part 298 of the Board's economic regulations should be amended to prohibit such operators from providing scheduled commuter air carrier service (as defined in pt. 298) in any markets set forth in 1(c) above (whether such markets are served by certificated air carriers, pt. 298 operators, or both or neither).

2. Briefs to the administrative law judge and motions limited to the issues specified in this order may be filed within 21 days from the date of this order. Arguments contained in briefs shall be based solely on the evidence of record and facts which may be officially noticed as set forth in § 302.24(m) of the Board's regulations. Parties urging additional hearings shall specify in detail (a) how the present record is deficient, (b) what additional evidence is necessary, and (c) a proposed set of procedural dates; and

3. The filing of a petition or petitions for reconsideration under § 302.37 of the Board's regulations shall not stay, or be deemed to be grounds for a stay or post-

<sup>2</sup> We will expect the parties to address any additional briefs to the questions, *inter alia*, of appropriate criteria for the selection of particular commuter carriers to conduct operations with route protection, and to specify the respects in which the bases for selection should differ from those employed by the Board in selecting commuter carriers for certification or employed by certificated air carriers in selecting commuter carriers to provide substitute service.

ponement of, the procedural date set forth in paragraph 2 above.

This order shall be published in the **FEDERAL REGISTER**.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc.73-7565 Filed 4-18-73;8:45 am]

## **COST OF LIVING COUNCIL**

[Cost of Living Council Order No. 24]

### **GENERAL SERVICES ADMINISTRATOR**

#### **Delegation of Authority to Renegotiate Government Construction Contracts**

For the purpose of (i) preventing windfall profits resulting from a reduction in the wage and salary level of construction workers by action of the Construction Industry Stabilization Committee (CISC), (ii) implementing section 130.71 of the Cost of Living Council regulations, and acting pursuant to the Economic Stabilization Act of 1970, as amended, and the authority delegated to me by Executive Order No. 11695 and Cost of Living Council Order No. 14, I hereby delegate to the Administrator of the General Services Administration with respect to civilian executive agencies, and the Secretaries of the military departments and the Secretary of Defense with respect to the Department of Defense authority to—

(1) Require price redetermination of each fixed price construction contract of more than \$500,000 which is affected by a wage and salary reduction caused by action of the CISC;

(2) Require that, after April 11, 1973, each successful offeror on a fixed price construction contract of more than \$500,000 shall provide the Government with such information during the life of that contract as is necessary to determine whether windfall profits have or will accrue from a wage and salary reduction caused by the CISC, and to make such arrangements with his subcontractors, regardless of tier, as necessary to insure that the information can be provided;

(3) Prescribe in the Federal procurement regulations, and applicable regulations of the Department of Defense such rules and procedures as are necessary to carry out the purpose of this delegation; and

(4) Redelagate to any Federal agency of the United States any authority under this delegation.

Issued in Washington, D.C., on April 11, 1973.

JAMES W. McLANE,  
Deputy Director,  
Cost of Living Council.

[FR Doc.73-7621 Filed 4-18-73;8:45 am]

## **COUNCIL ON ENVIRONMENTAL QUALITY**

### **ENVIRONMENTAL IMPACT STATEMENTS**

#### **Notice of Availability**

Environmental impact statements received by the Council from April 2 through April 6, 1973.

<sup>1</sup> Ordering par. 1 of order 72-1-4 provided in pertinent part (emphasis added):

... (d) whether the exemption of air taxi operators under pt. 298 of the Board's economic regulations should be amended to prohibit air taxis from operating in any markets set forth in 1(c) above in which new air service is authorized;

**NOTE.**—At the head of the listing of statements received from each agency is the name of an individual who can answer questions regarding those statements.

#### DEPARTMENT OF AGRICULTURE

Contact: Dr. T. C. Byerly, Office of the Secretary, Washington, D.C. 20250, 202-447-7803.

##### FOREST SERVICE

###### Draft

St. Louis Peaks, Arapahoe National Forest, Grand and Clear Creek Counties, Colo., March 29: The statement considers land use management of the St. Louis Peaks roadless area of the Arapahoe National Forest. Being considered is the development for key resources of 8,000 of 21,000 acres. Included would be the construction of roads. Also involved is the construction of a 115 kV transmission line from Henderson East to Portal Substation. The line will provide the necessary reliability for mining and milling of molybdenum. There will be disruption of scenic values, and an adverse impact to air, water, and noise quality levels (63 pages). (ELR Order No. 00533.) (NTIS Order No. EIS 73 0533-D.)

Hoosier National Forest, off-road vehicle policy, several counties, Indiana, March 27: The proposal is for a policy to permit and regulate the use of off-road motor vehicles on the Hoosier National Forest. The forest would be divided into two different type zones, one part being zoned for the use of ORV's on designated trails, the other part excluding the use of ORV's. Counties affected are: Monroe, Brown, Jackson, Lawrence, Martin, Dubois, Orange, Crawford, and Perry (86 pages). (ELR Order No. 00522.) (NTIS Order No. EIS 73 0522-D.)

##### SOIL CONSERVATION SERVICE

###### Draft

Indian Creek watershed, Va., March 28: The project plan provides for conservation land treatment measures on 2,868 acres of land and about 2.25 miles of stream channel work for flood prevention channel work. The construction will disturb 17 acres, including channels on eight farms, causing downstream turbidity (14 pages). (ELR Order No. 00525.) (NTIS Order No. EIS 73 0525-D.)

#### DEPARTMENT OF DEFENSE, AIR FORCE

Contact: Colonel Cliff M. Whitehead, room 5E 425, The Pentagon, Washington, D.C. 20330, 202-0X 5-2889.

###### Final

Runway Extension, Keesler AFB, Miss., April 6: The proposed project is the extension of an existing runway from its present length of 5,000 to 6,000 feet, in order to accommodate aeromedivac flights by C-9 aircraft. There will be some increase in noise levels (31 pages). Comments made by: EPA, DOI, DOT, and State agencies. (ELR Order No. 00591.) (NTIS Order No. EIS 73 0591-F.)

#### DEPARTMENT OF DEFENSE

##### ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, attention: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, 202-693-7168.

###### Draft

Field Research Facility, Duck, N.C., April 5: The proposal involves the construction of a research facility on a 175-acre site on the outer banks 1 mile north of Duck. Included are a 1,800-foot ocean pier and associated shore facilities. There will be damage to the dunes and to marine biota, as well

as adverse esthetic impact. The pier will be an obstruction to the navigation of boats, and to migrating birds and fish, and an interruption to vehicular traffic on the beach (Wilmington District) (144 pages). (ELR Order No. 00581.) (NTIS Order No. EIS 73 0581-D.)

Wilsonburg and vicinity, Harrison County, W. Va., April 5: The proposal is a flood control project, which would consist of the widening, deepening, and realigning of Limestone Run at Wilsonburg. Sedimentation and siltation will result from construction activities (Pittsburg District) (21 pages). (ELR Order No. 00578.) (NTIS Order No. EIS 73 0578-D.)

###### Final

Dredging of dead-reef shells, Mobile Bay, Ala., March 29: The statement refers to an application for section 10 permit for the dredging of dead-reef shells in Mobile Bay by Radcliff Materials, Inc. Approximately 6 Myd<sup>3</sup> of dead-reef shell and 12 Myd<sup>3</sup> of overburden will be removed. Adverse effects of the project include lowered productivity of about 2,000 acres of Mobile Bay for 5 years, temporary damage to flora and fauna in an additional 3,500 acres of the estuary, degradation of water quality and esthetics, conflict with commercial fishing interests, and long-term softening of the bottom of Mobile Bay (Mobile District) (approximately 200 pages). Comments made by: USDA, DOC, EPA, HEW, HUD, DOI, and DOT. (ELR Order No. 00542.) (NTIS Order No. EIS 73 0542-F.)

Salem Harbor Electric Generating Station, Massachusetts, March 26: The proposed action is the granting of a permit, pursuant to the Rivers and Harbors Act of 1899, to the New England Power Co., for the construction of a 465 MW electric generating unit. The oil-fired unit will require the use of 160,000 gal/min of ocean water for condenser cooling, with some adverse impact to marine biota. The new plant will necessitate an increase in the number of arriving oil tankers from two to five per month (Waltham District) (approximately 200 pages). Comments made by: EPA, DOC, FPC, HUD, DOI, USCG, State, and local agencies. (ELR Order No. 00514.) (NTIS Order No. EIS 73 0514-F.)

Saginaw River, Flint River, Genesee County, Mich., March 27: The proposal is for a flood control project on the Flint River, Swartz and Thread Creeks. The project will protect industrial, commercial, and residential areas. Project measures include 11,000 feet of channel work on the Flint River and 8,900 feet of work on the two streams. There will be adverse impacts to marine biota (121 pages). Comments made by: EPA, DOC, USDA, DOI, HUD, DOT, State, and local agencies. (ELR Order No. 00523.) (NTIS Order No. EIS 73 0523-F.)

#### DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Environmental and Land Use, Planning Division, Washington, D.C. 20410, 202-755-6186.

###### Draft

City Center urban renewal, Oakland, Calif., March 26: The proposed action involves urban renewal on a 9 block area of Oakland. Project measures include four major department stores, one hotel, an office building, three parking structures, and related construction. Displacement of those presently residing in the project area will include 64 families and 235 individuals (100 pages). (ELR Order No. 00510.) (NTIS Order No. EIS 73 0510-D.)

Pauahi urban renewal project, Oahu, Hawaii, March 26: The proposed action involves the modification of 2 blocks in the Chinatown area of downtown Honolulu. Of

358-dwelling units in the project area, 183 will be cleared and 175 will be rehabilitated. New construction will include two high-rise structures, parking and commercial structures, and low-rise multiple structures. Buildings of historical importance are among those to be rehabilitated (80 pages). (ELR Order No. 00508.) (NTIS Order No. EIS 73 0508-D.)

San Antonio new town in town, Bexar County, Tex., March 23: The proposal is for HUD guarantee assistance of up to \$20 million for financing land acquisition and development, over a 20-year period, of a new community within the city of San Antonio. The community will be developed on a 558-acre site in the northern portion of the central business district; total population at the end of the development period is expected to be 19,416. Approximately 350 families, 1,400 individuals, and 200 businesses will require relocation from existing structures on the proposed site. Flood hazard conditions presently affect the site, and will require flood plain control and river channelization (approximately 200 pages). (ELR Order No. 00495.) (NTIS Order No. EIS 73 0495-D.)

#### DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, room 7200, Department of the Interior, Washington, D.C. 20240, 202-343-3891.

##### BUREAU OF OUTDOOR RECREATION

###### Draft

Pine, Popple, and Pike Rivers acquisition, Forest, Florence, and Marinette Counties, April 6: The proposal is for the acquisition by the Wisconsin Department of Natural Resources of easements or title to 7,000 acres of land along the Pine, Popple, and Pike Rivers. The purpose of the action is that of preserving the wild and scenic character of lands bordering the rivers. The gradual trend of cottage development along the rivers will be reduced (28 pages). (ELR Order No. 00597.) (NTIS Order No. EIS 73 0597-D.)

#### NATIONAL PARK SERVICE

###### Draft

Transpark Road, Bighorn National Recreation Area, Mont. and Wyo., April 5: The proposal calls for the construction of a 50-mile roadway from Horseshoe Bend, Wyo., to Fort Smith, Mont., including a major bridge over Dryhead Canyon. The primary purpose of the road is that of increasing access to the national recreation area. Adverse impacts will include increased visitor impact, scarring by construction, bisecting of a wild horse range, and loss of some archeologic values, animal road mortality, and visual impact of fencing. The Crow Indian Reservation will be crossed by the roadway (44 pages). (ELR Order No. 00580.) (NTIS Order No. EIS 73 0580-D.)

Many Glacier sewerage, Glacier National Park, Mont., April 5: The proposal is for the construction of a replacement sewerage system, including a treatment facility, at the Many Glacier region of the park. Adverse impacts will include those of esthetic intrusion and odor (34 pages). (ELR Order No. 00584.) (NTIS Order No. EIS 73 0584-D.)

Lake McDonald sewerage, Glacier National Park, Mont., April 5: The proposal is for the construction of a master sewerage system, including a treatment facility, pumping stations, and related works, for the Lake McDonald region of the park. There will be construction disruption; McDonald Creek may remain subject to some nutrient pollution (56 pages). (ELR Order No. 00585.) (NTIS Order No. EIS 73 0585-D.)



## NATIONAL CAPITAL PLANNING COMMISSION

Contact: Mr. Donald F. Bozarth, Director of Current Planning and Programming, Washington, D.C. 20576, 202-382-1471.

*Draft*

Proposed Bolling/Anacostia Base development, District of Columbia, March 29: The proposed action is the adoption of modifications to the Comprehensive Plan for the National Capital, which would conform the plan to the development concept proposed by the Department of Defense as described in the Navy impact statement of March 9, 1973 (NTIS Order No. EIS 73 0412-D, ELR Order No. 00412). The modifications would involve text and map changes in the residential, nonresidential, open-space, and circulation aspects of the plan (71 pages). (ELR Order No. 00532.) (NTIS Order No. EIS 73 0532-D.)

## DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Quality, 400 Seventh Street SW., Washington, D.C. 20590, 202-466-4357.

## FEDERAL AVIATION ADMINISTRATION

*Draft*

Pratt Municipal Airport, Pratt County, Kans., March 26: The project consists of the preparation of a master plan for the Pratt Municipal Airport. Improvements recommended in the plan will take place over a 20-year-planning period. Increased aircraft operations will result in an increase in noise and air pollution (66 pages). (ELR Order No. 00513.) (NTIS Order No. EIS 73 0513-D.)

Grand Forks International Airport, Grand Forks County, N. Dak., March 26: The statement refers to the proposed expansion of the existing airport to handle the forecast aviation and passenger traffic volumes through the year 1990. The major components of the development plan include land acquisition, runway construction and expansion, construction of a new carrier terminal, and provisions for a 600-space parking area. Noise and air pollution will increase as activity increases (55 pages). (ELR Order No. 00506.) (NTIS Order No. EIS 73 0506-D.)

Somerville-Fayette County Airport, Fayette County, Tenn., March 26: The proposed project consists of land acquisition (101.4 acres fee) for the construction of a new general aviation airport. The action includes constructing a new N/S runway (3,500 by 75 feet) an apron (5,000 yd<sup>2</sup>) and a stub taxiway (750 by 40 feet); installing a medium intensity lighting system and VASI-2; constructing an access road; removing obstructions; and installing fencing. The facility will be adequate to accommodate 95 percent of propeller aircraft weighing under 12,500 pounds. There will be an increase in the noise level (23 pages). (ELR Order No. 00503.) (NTIS Order No. EIS 73 0503-D.)

Mountain Empire Airport, Wytheville, Smyth County, Va., March 29: The proposed project consists of strengthening and extending the existing runway (1,000 by 75 feet each end), strengthening apron and stub taxiway, and installing medium intensity runway lighting. Additional hangars and support facilities will also be constructed. Six acres of land will be acquired and one residence will be displaced (56 pages). (ELR Order No. 00536.) (NTIS Order No. EIS 73 0536-D.)

*Final*

Marshall County Airport, Marshall County, W. Va., March 29: The statement refers to the proposed development of a new airport in the town of Moundsville. A paved 3300 by 60 foot runway would be constructed, along with an apron and a taxiway; medium in-

tensity lighting would be installed. An unspecified amount of land will be committed to the project; one family may be displaced (76 pages). Comments made by: USDA, COE, EPA, FPC, HEW, DOI, DOT, and TVA. (ELR Order No. 00537.) (NTIS Order No. EIS 73 0537-F.)

## FEDERAL HIGHWAY ADMINISTRATION

*Draft*

U.S. 280, Tallapoosa County, Ala., April 2: The statement refers to the proposed improvements of U.S. 280 to provide an adequate four-lane facility from the Tallapoosa River Bridge to Dadeville. Length of the project is 8.06 miles. Approximately 25 families and three businesses will be displaced. Adverse effects are erosion and water, air, and noise pollution, and destruction of some wildlife habitat (17 pages). (ELR Order No. 00553.) (NTIS Order No. EIS 73 0553-D.)

Cameron Pass, Larimer and Jackson Counties, April 5: The statement refers to the proposed design and construction of 11.2 miles of State Highway 14 over Cameron Pass. Construction of the project will affect traffic flow, recreation facilities and activities, economics of the area, and the ecology of the surrounding environment (73 pages). (ELR Order No. 00573.) (NTIS Order No. EIS 73 0573-D.)

U.S. 23, Boyd and Lawrence Counties, Ky., March 19: The proposed project involves the improvement and relocation of U.S. 23. Length of the facility is 20.5 miles. The amount of land required for right-of-way and the number of displacements are not specified. The project will traverse streams (requiring bridge structures), causing increases in water turbidity and changes in drainage patterns. Increases in noise and air pollution levels will occur (64 pages). (ELR Order No. 00462.) (NTIS Order No. EIS 73 0462-D.)

I-69, Charlotte to Lansing, Eaton, and Clinton Counties, Mich., March 26: The statement refers to the proposed construction of I-69, Charlotte to I-96, and coincident portions of I-96, northwest of Lansing. The amount of right-of-way required and the number of displacements will depend upon the route selected (55 pages). (ELR Order No. 00502.) (NTIS Order No. EIS 73 0502-D.)

Oklahoma, SH 112 and U.S. 271, LeFlore County, Okla., March 16: The proposed project is the improvement of 1.2 miles of U.S. 2 and 10.2 miles of SH 112. SH 112 will displace seven families and require 400 acres of land. U.S. 27 will displace 15 families, businesses and require 125 acres of land. SH 112 will traverse three creeks, affecting water quality (31 pages). (ELR Order No. 00461.) (NTIS Order No. EIS 73 0461-D.)

Pedestrian Park, SR 5, Wash., April 3: The statement refers to the proposed construction of a pedestrian park structure over Interstate Highway 5 in Seattle approximately 225 feet wide between Spring Street and University Street. Construction at the park will allow multiple use of existing right-of-way, will provide a park in an area devoid of parks, and separate pedestrian and freeway traffic (40 pages). (ELR Order No. 00501.) (NTIS Order No. EIS 73 0501-D.)

STH 64, Connorsville-East County Line Road, Dunn County, Wis., April 2: The statement refers to the proposed reconstruction of a 6.5 mile segment of STH 64 beginning west of the junction with STH 25 and ending east of the junction with CTH "W". The project will require acquisition of 15 acres of woodland and 100 acres of farmland. One residence and a combination residence and vacant store will be displaced. Five streams, including two trout streams, will be crossed; wetlands will be altered by excavating and backfilling (15 pages). (ELR Order No. 00554.) (NTIS Order No. EIS 73 0554-D.)

*Final*

I-459, Jefferson County, Ala., April 2: The proposed project is the construction of 8.3 miles of I-459. An unspecified amount of land will be acquired for right-of-way. Thirty-six families and nine individuals will be displaced. The project will acquire 2.53 acres of land from three churches (38 pages). Comments made by USDA, DOC, DOI, DOT, COE, HUD, State, and regional agencies. (ELR Order No. 00555.) (NTIS Order No. EIS 73 0555-F.)

Fish Creek Road, Alaska, April 4: The statement refers to the proposed construction of a secondary road from North Douglas Highway approximately 5 miles into the Fish Creek drainage basin. The project would provide access to a planned recreation area in the Fish Creek Basin on Douglas Island. Section 4(f) land from the North Tongass National Forest will be encroached upon (82 pages). Comments made by: USDA, DOC, DOI, EPA, State, and local agencies. (ELR Order No. 00565.) (NTIS Order No. EIS 73 0565-F.)

St. Marys south connector, Auglaize County, Ohio, March 28: The statement refers to the proposed construction of a new east-west street across the south part of the city of St. Marys from Wayne Street eastward to State Route 23. Acquisition of land for right-of-way will require the displacement of one family. New bridges over the St. Marys River and the Miami and Erie Canal will be constructed (35 pages). Comments made by: EPA, HUD, DOI, DOT, and State agencies. (ELR Order No. 00529.) (NTIS Order No. EIS 73 0529-F.)

## TENNESSEE VALLEY AUTHORITY

Contact: Dr. Francis Gartrell, Director of Environmental Research and Development, 720 Edney Building, Chattanooga, Tenn. 37401, 615-765-2002.

*Draft*

Briceville flood relief project, Anderson County, Tenn., March 30: The proposal is for the clearing, deepening, and widening of various portions of Coal Creek between Briceville and Lake City, in order to reduce the frequency and severity of flooding. Riparian habitat will be adversely affected (58 pages). (ELR Order No. 00549.) (NTIS Order No. EIS 73 0549-D.)

TIMOTHY ATKESON,  
General Counsel.

[FR Doc. 73-7566 Filed 4-18-73; 8:45 am]

## FEDERAL RESERVE SYSTEM

## BARNETT BANKS OF FLORIDA, INC.

## Order Approving Acquisition of Bank

Barnett Banks of Florida, Inc., Jacksonville, Fla., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the act (12 U.S.C. 1842(a)(3)) to acquire 90 percent or more of the voting shares of First State Bank of Lakeland, Lakeland, Fla. (Lakeland Bank).

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant controls 37 banks with aggregate deposits of \$1.1 billion, representing 6.6 percent of the total deposits of commercial banks in the State and is the third largest banking organization in Florida. (All banking data are as of June 30, 1972, and reflect holding company formations and acquisitions approved through February 28, 1973.) The acquisition of Lakeland Bank (\$24 million deposits) would increase applicant's share of Florida deposits by one-tenth of one percentage point, and it would become the second largest State banking organization.

Lakeland Bank is located in the city of Lakeland in the western half of the Polk County banking market. In terms of deposits, it is the third largest bank in the city of Lakeland and the fifth largest in Polk County, holding 4.6 percent of county deposits. The largest bank in the city and county is independent and holds 21 percent of total county deposits. Applicant has three present subsidiary banks in the eastern portion of the Polk County market holding aggregate deposits of \$47 million (approximately 9 percent of county deposits). These present subsidiaries are located 12, 18, and 20 miles from Lakeland. No meaningful competition exists between these or any of applicant's present subsidiary banking offices and Lakeland Bank, and it does not appear that significant future competition would develop between them in view of the distances, the presence of intervening banks, the undeveloped land separating eastern and western Polk County, and State laws restricting branching. Competitive considerations are consistent with approval of the application.

The financial and managerial resources and prospects of applicant, its subsidiaries, and Lakeland Bank are satisfactory, in light of applicant's commitment to increase capital in its subsidiary banks, and are consistent with approval. The primary banking needs of the area are satisfactorily served at the present time. However, the proposed affiliation would enable Lakeland Bank to compete more aggressively for commercial and installment loans, and applicant's assistance will enable the bank to establish a trust department which would benefit the community, since only two banks in Lakeland now operate trust departments. Considerations relating to the convenience and needs of the community to be served are consistent with and lend some support toward approval of the application. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order, or (b) later than 3 months after the effective date of this order, unless such period is extended for good

cause by the Board, or by the Federal Reserve Bank of Atlanta, pursuant to delegated authority.

By order of the Board of Governors,<sup>1</sup> effective April 12, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.

[FR Doc.73-7514 Filed 4-18-73; 8:45 am]

#### COMMERCIAL SECURITY BANCORPORATION

##### Acquisition of Bank

Commercial Security Bancorporation, Ogden, Utah, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Commercial Security Bank of Logan, Logan, Utah, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of San Francisco. Any person wishing to comment on the application should submit his views in writing to the Reserve bank to be received not later than April 30, 1973.

Board of Governors of the Federal Reserve System, April 11, 1973.

[SEAL] CHESTER B. FELDBERG,  
Assistant Secretary of the Board.

[FR Doc.73-7515 Filed 4-18-73; 8:45 am]

#### FIDELITY CORP. OF PENNSYLVANIA

##### Order Approving Acquisition of Commercial Capital Corp.

Fidelity Corp. of Pennsylvania, Rosemont, Pa., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 4(c)(8) of the act and § 225.4(b)(2) of the Board's regulation Y to acquire all of the voting shares of Commercial Capital Corp., New York, N.Y. (Commercial), a company that engages in the activity of a commercial finance company. Such activity has been determined by the Board to be closely related to the business of banking (12 CFR 225.4(a)(1)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (37 FR 26471). The time for filing comments and views has expired, and none has been timely received.

Applicant's only banking subsidiary, the Fidelity Bank, Philadelphia, Pa. (Bank), is the fifth largest bank in the State and the fourth largest in the Phil-

adelphia banking market with deposits of \$1.4 billion. (All banking data are as of June 30, 1972, unless otherwise indicated.) Applicant<sup>2</sup> engages in the commercial finance business through Bank and competes with a large number of companies similarly engaged; in fiscal year 1971-72, Bank derived approximately \$17 million or 80 percent of its commercial finance outstandings from customers with headquarters in its primary service area (the Delaware Valley).

Commercial is a relatively small<sup>3</sup> commercial finance company operating its sole office in New York City and primarily serving the New York City market area,<sup>4</sup> the largest commercial finance market in the Nation. Commercial's principal product market is accounts receivable financing on a nonnotification basis for manufacturers, wholesalers, and jobbers engaged in various lines of commerce.

From the facts of record, the Board notes that there is a slight overlap in the areas served by Bank and Commercial and that one common customer exists between them. Nevertheless, the amount of present competition which would be eliminated upon consummation is minimal because both Applicant and Commercial appear to control an insignificant share of the intensely competitive commercial finance business in the New York City market. It does not appear, therefore, that consummation herein would have any adverse effect on existing or potential competition, add significantly to the existing level of market concentration, or result in an undue concentration of financial resources in the market.

It is anticipated that Commercial's affiliation with Applicant will give Commercial access to the greater capital resources of Applicant, will enhance its ability to provide larger loans, and will thereby enable it to compete more effectively in the highly competitive market which it serves.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

<sup>1</sup> Applicant has 8 direct nonbanking subsidiaries none of which engage in the commercial finance business.

<sup>2</sup> As of Apr. 30, 1972, advances and notes receivable totaled \$7.9 million and after tax annual income was \$231,278.

<sup>3</sup> Approximately 82 percent of Commercial's volume as of Oct. 31, 1972, was derived from customers headquartered in the New York City metropolitan area.

<sup>4</sup> Voting for this action: Chairman Burns and Governors Robertson, Daane, Sheehan, and Bucher. Absent and not voting: Governors Mitchell and Brimmer.

By order of the Board of Governors,\*  
effective April 12, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.  
[FR Doc.73-7516 Filed 4-18-73;8:45 am]

#### FIRST INTERNATIONAL BANCSHARES, INC.

##### Acquisition of Bank

First International Bancshares, Inc., Dallas, Tex., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Temple National Bank, Temple, Tex. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 9, 1973.

Board of Governors of the Federal Reserve System, April 12, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.  
[FR Doc.73-7517 Filed 4-18-73;8:45 am]

#### FIRST INTERNATIONAL BANCSHARES, INC.

##### Acquisition of Bank

First International Bancshares, Inc., Dallas, Tex., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the State National Bank of Denison, Denison, Tex. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, DC 20551, to be received not later than May 9, 1973.

Board of Governors of the Federal Reserve System, April 12, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.  
[FR Doc.73-7519 Filed 4-18-73;8:45 am]

\* Voting for this action: Chairman Burns and Governors Daane, Sheehan, and Bucher. Present and abstaining: Governor Robertson. Absent and not voting: Governors Mitchell and Brimmer.

#### FIRST SECURITY NATIONAL CORP.

##### Order Approving Acquisition of First Security Financial Systems

First Security National Corp., Beaumont, Tex., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the act and § 225.4(b)(2) of the Board's Regulation Y, to acquire voting shares of First Security Financial Systems, Houston, Tex. (Company). Company would carry on certain data processing activities now conducted by applicant's subsidiary bank, First Security National Bank of Beaumont, Beaumont, Tex. (Bank). These activities consist of providing bookkeeping or data processing services for the internal operations of the holding company, its subsidiaries, and for other financially related concerns and storing and processing other banking, financial, or other economic data related thereto. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(8)).

Notice of the application,\* affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (38 FR 4598). The time for filing comments and views has expired, and none has been timely received.

Applicant, the 12th largest multibank holding company in Texas, controls five banks<sup>1</sup> with aggregate deposits of \$173 million, representing 0.6 percent of the State's total commercial bank deposits. (All banking data are as of June 30, 1972 and reflect holding company formations and acquisitions approved by the Board through February 15, 1973.) Bank (\$153 million in deposits), applicant's largest banking subsidiary, presently conducts data processing activities for the internal operations of applicant and its banking subsidiaries and conducts certain data processing activities for Western National Bank, Houston, Tex. (Western National), an unaffiliated independent bank.<sup>2</sup> Applicant seeks to spin off these data processing activities into a newly-formed and separately incorporated entity, Company, to be located in the Houston SMSA, a market in which applicant, at the present time, has neither

<sup>1</sup> Applicant, in addition to these five banks, owns 24.5 percent of Village State Bank, Beaumont, Tex., with deposits of \$8 million.

<sup>2</sup> The data processing services performed for Western National consists of "storing and processing . . . banking, financial, or related economic data" (see § 225.4(a)(8)(ii) of regulation Y).

On Oct. 1, 1972, Bank acquired the assets of Professional Administrative Corp., Houston, Tex., which included, in addition to certain equipment, an assignment of a bank servicing contract for Western National, and an assignment of certain leased premises in the Western National Bank Bldg., Houston, Tex., for a total consideration of \$35,000. All the assets acquired by Bank in this transaction will be transferred to Company.

a banking nor nonbanking subsidiary. Upon consummation of this transaction, Company will continue to perform the data processing services presently performed by Bank. It appears that the proposed acquisition is a corporate reorganization that would have no adverse effect on present or future competition.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,\*  
effective April 12, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.  
[FR Doc.73-7520 Filed 4-18-73;8:45 am]

#### FIRST UNION, INC.

##### Acquisition of Bank

First Union, Inc., St. Louis, Mo., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 91.2 percent or more of the voting shares of Chesterfield Bank, Chesterfield, Mo. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 9, 1973.

Board of Governors of the Federal Reserve System, April 12, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.  
[FR Doc.73-7518 Filed 4-18-73;8:45 am]

#### FIRST VIRGINIA BANKSHARES CORP.

##### Acquisition of Bank

First Virginia Bankshares Corp., Falls Church, Va., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C.

\* Voting for this action: Chairman Burns and Governors Robertson, Daane, Sheehan, and Bucher. Absent and not voting: Governors Mitchell and Brimmer.

1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to the First National Bank in Onancock, Onancock, Va. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Richmond. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 8, 1973.

Board of Governors of the Federal Reserve System, April 11, 1973.

[SEAL] CHESTER B. FELDBERG,  
Assistant Secretary of the Board.

[FR Doc.73-7523 Filed 4-18-73;8:45 am]

#### MICHIGAN NATIONAL CORP.

##### Acquisition of Bank

Michigan National Corp., Bloomfield Hills, Mich., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Greenfield National Bank, Dearborn, Mich., a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit his views in writing to the Reserve bank to be received not later than April 30, 1973.

Board of Governors of the Federal Reserve System, April 12, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.

[FR Doc.73-7521 Filed 4-18-73;8:45 am]

#### MICHIGAN NATIONAL CORP.

##### Acquisition of Banks

Michigan National Corp., Bloomfield Hills, Mich., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successors by merger to: (1) First National Bank of Wyoming, Wyo.; (2) First National Bank of East Lansing, East Lansing; (3) Central Bank, National Association, Grand Rapids; and (4) Valley National Bank of Saginaw, Saginaw, all in Michigan. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit his views in

writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 7, 1973.

Board of Governors of the Federal Reserve System, April 10, 1973.

[SEAL] CHESTER B. FELDBERG,  
Assistant Secretary of the Board.

[FR Doc.73-7522 Filed 4-18-73;8:45 am]

#### THIRD NATIONAL CORP.

##### Order Approving Acquisition of Mobilehome Guaranty Corp.

Third National Corp., Nashville, Tenn., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of Mobilehome Guaranty Corp., Miami, Fla. (Mobilehome), and thereby all of the shares of MGC Agency, Inc., and MGC Federal Service Corp., wholly owned subsidiaries of Mobilehome, and both located in Miami, Fla. Mobilehome and its subsidiaries engage in arranging and servicing mobile home loans for banks and savings and loan associations; making direct loans to mobile home dealers to finance inventory; collecting delinquent loans held by Mobilehome; and, selling as agent, credit life insurance to debtors and mobile home physical damage insurance on the property serving as collateral for the above-described extensions of credit. Such activities have been determined by the Board to be closely related to banking or managing or controlling banks (12 CFR 225.4(a)(1), (3), and (9)(ii)(a)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (38 FR 3120). The time for filing comments and views has expired and none has been timely received.

Applicant, through its four subsidiary banks, controls approximately \$712 million in deposits and 7.8 percent of total commercial bank deposits in Tennessee. (All banking data are as of June 30, 1972.) Mobilehome, with total assets of approximately \$2.4 million (as of July 31, 1972), is a mobile home servicing company specializing in the purchase of installment sales contracts originated by mobile home dealers and the sale of such paper to banks and savings and loan associations.

The relevant product market in which the Board analyzes the competitive aspects of the proposed transaction is Mobilehome lending. Mobilehome placed \$19 million in loans in fiscal year 1971 (ending October 31, 1971) with numerous banks and savings and loan associations scattered throughout the southeastern part of the United States. The largest share of Mobilehome's business is in Tennessee, where applicant's banking subsidiaries are located. There is some existing competition in Bradley and Knox Counties between applicant's banking

subsidiaries and Mobilehome, but in each instance the competitive consequences do not appear to be significant. Applicant's finance subsidiary, Friendly Finance Co., does not originate or service mobile home loans. There is no indication in the record, absent this proposal, that applicant would be likely to engage de novo in mobile home lending in the relevant geographic markets. Barriers to entry into the product and geographic markets are not great, and there are other potential entrants. It appears, therefore, that removal of applicant as a possible de novo entrant would not be adverse to probable future competition. In brief, no substantial amount of existing or potential competition would be eliminated by consummation of this proposal.

It is anticipated that affiliation with applicant would give Mobilehome access to the greater resources of applicant and enable Mobilehome to compete more effectively in the areas in which it operates. There is no evidence in the record indicating that consummation of the proposed transaction would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,<sup>1</sup> effective April 12, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.

[FR Doc.73-7524 Filed 4-18-73;8:45 am]

#### VIRGINIA NATIONAL BANKSHARES, INC.

##### Order Approving Acquisition of Bank

Virginia National Bankshares, Inc., Norfolk, Va., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares (less directors' qualifying shares) of the successor by merger to Virginia Trust Co., Richmond, Va., (Bank). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares

<sup>1</sup> Voting for this action: Chairman Burns and Governors Robertson, Daane, Sheehan, and Bucher. Absent and not voting: Governors Mitchell and Brimmer.

of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

Applicant controls two banks with aggregate deposits of approximately \$1.1 billion, representing 11 percent of total commercial bank deposits in Virginia, and is the second largest banking organization in the State. (All banking data are as of June 30, 1972, adjusted to reflect holding company formations and acquisitions approved by the Board through February 28, 1973.) Consummation of the proposed acquisition would increase only minimally applicant's share of Statewide deposits and would not result in a significant increase in the concentration of banking resources in Virginia.

Bank (deposits of about \$36 million) has its head office and single existing branch in the city of Richmond and ranks seventh in size among 14 banks in the relevant market (the Richmond standard metropolitan statistical area (SMSA)). The Richmond banking market is highly concentrated in view of the fact that three of the four largest banking organizations in the State have about 69 percent of the total deposits in the market. Furthermore, the four largest banking organizations in the market have 82 percent of the total deposits. Bank has but 2 percent of market deposits and seven of the remaining banks in the market have an even smaller share. Three of the latter are already affiliated with bank holding companies.

Applicant has two subsidiary banks, Virginia National Bank (VNB), and Jefferson National Bank (Jefferson). Jefferson is located in Lynchburg, about 100 miles west of Richmond. VNB, whose head office is located in Norfolk, has 112 offices in various parts of the State. However, Bank does not directly compete with any of VNB's banking offices, the closest of which is 50 miles removed from Bank. Due to the distances separating the banking offices and Virginia's restrictive branching laws, it appears unlikely that any significant future competition would develop between any of applicant's present banking subsidiaries and Bank.

A mortgage banking subsidiary of VNB, Virginia National Mortgage Co., is headquartered in Richmond. According to data furnished by applicant, the 18 largest mortgage firms in the Richmond area recorded a total of 6,113 mortgages in 1972. Of these, Virginia National Mortgage Co. originated 392 single-family residential mortgages, while Bank originated but 28. The Board concludes that only a minimal amount of existing

competition for the origination of residential mortgage loans in the Richmond market would be eliminated as a result of consummation of the proposal.

Bank is primarily a trust institution and holds trust assets of approximately \$120 million, of which only about \$1 million originate in the areas served by VNB and Jefferson. Moreover, VNB has only \$1.2 million in trust assets which originate in the Richmond area. The combined trust assets of VNB and Bank represent 6.3 percent of those held in the Richmond market by the six largest banking organizations servicing this market.<sup>1</sup> The Board concludes that only a minimal amount of existing competition between the trust departments of VNB and Bank would be eliminated as a result of consummation of the proposal.

By order of April 18, 1967,<sup>2</sup> the Board denied the proposed acquisition by VNB of Central National Bank (Central National), the fourth ranked banking organization in the Richmond banking market and the ninth ranked in the State, on the basis that it would eliminate potential competition between VNB and Central National in the Richmond market. In the order, the Board stated, "Based on a record of Virginia National's past history, particularly its growth pattern, it is reasonable to expect that, though the application herein be denied, that [sic] bank will gain increased access to the Richmond market either through the operation of offices resulting from merger with Richmond area banks, or through affiliation with such area banks."

The present application fulfills the Board's expectation that applicant would propose an alternate method of entry into the Richmond banking market. Applicant proposes to acquire a bank that controls only a small percentage of the market deposits. Although applicant has the ability to enter the market by establishing a de novo bank, the proposed "foothold" acquisition is likely to have beneficial effects on competition in the Richmond banking market in that Bank will become a more effective competitor. Bank has operated primarily as a trust company during its 80-year history with little emphasis on commercial or retail banking. Due to its conservative management, Bank has experienced only moderate growth.<sup>3</sup> As a subsidiary of applicant, Bank will be strengthened by its access to applicant's management resources, automation, marketing strength and full range of services. The Board concludes that the proposed acquisition will have procompetitive effects on competition in the Richmond banking market due to Bank's increased ability to

compete with the large banking organizations already active in the market as well as the deconcentrating effect that applicant's entrance will have on the major institutions presently serving the market.

Considerations relating to the financial and managerial resources and future prospects of applicant and its subsidiary banks are satisfactory and consistent with approval of the application. The financial resources of Bank are satisfactory, and management and future prospects of Bank will be enhanced as a result of its acquisition by applicant. Major banking needs in the Richmond market are presently being met. However, in view of the fact that affiliation with applicant will enable Bank to offer new and expanded services, Bank will be able to provide the area with a competitive alternative for those customers who require full-service banking. Therefore, considerations relating to the convenience and needs of the communities to be served lend weight toward approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Richmond pursuant to delegated authority.

By order of the Board of Governors,<sup>4</sup> effective April 12, 1973.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.

[FR Doc. 73-7525 Filed 4-18-73; 8:45 am]

#### WHITMORE BANCORPORATION, INC.

##### Formation of Bank Holding Company

Whitmore Bancorporation, Inc., Corning, Iowa, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of the Page County State Bank, Clarinda, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 9, 1973.

<sup>4</sup> Voting for this action: Chairman Burns and Governors Robertson, Daane, Sheehan, and Bucher. Absent and not voting: Governors Mitchell and Brimmer.

<sup>1</sup> The combined trust assets of VNB and Bank in the Richmond market are, of course, overstated to the extent that the trust business conducted by the remaining eight institutions in that market is omitted.

<sup>2</sup> 53 Federal Reserve Bulletin 763 (1967).

<sup>3</sup> During the 4-year period 1968-1972, Bank's deposits rose only 26 percent while the average deposit growth rate of all banks in Virginia was 57 percent.



Board of Governors of the Federal Reserve System, April 12, 1973.

•[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary of the Board.

[FR Doc.73-7526 Filed 4-18-73; 8:45 am]

## SECURITIES AND EXCHANGE COMMISSION

[812-3431]

### FIRST BOSTON CORP.

#### Notice of Application for an Order of Exemption

Notice is hereby given that the First Boston Corp. (Applicant), 20 Exchange Place, New York, N.Y. 10005, on behalf of itself and duPont Glore Forgan Inc., Shearson, Hammill & Co., Inc., and Walston & Co., Inc., as representatives (Representatives) of a group of underwriters of a proposed public offering of shares of common stock (Shares) of CNA Income Shares, Inc. (Company), a registered closed-end investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (Act) requesting that Applicant and the Representatives and, to the extent necessary, their counterwriters, be exempted from section 30(f) of the Act, which incorporates section 16 of the Securities Exchange Act of 1934 (Exchange Act), in connection with their transactions incident to the distribution of Shares of the Company. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Shares of the Company are to be purchased by the underwriters at a price of \$13.80 per share pursuant to the underwriting agreement to be entered into between the Company and the Representatives. Upon the effective date of the Company's registration statement filed under the Securities Act of 1933, the Shares will be sold to the public at a public offering price of \$15 per share. Sales to selected dealers may be made by the Representatives, and by other underwriters with the consent of the Representatives, at the offering price less a concession of \$0.90 per share, and underwriters and such dealers may allow a discount of \$0.25 per share on sales to other dealers. The several underwriters are to pay the Representatives a fee of \$0.24 per share for their management of the offering.

The application states that it appears likely that the Representatives and possibly one or more other underwriters will acquire individually from the Company in accordance with the provisions of the underwriting agreement more than 10 percent of the Shares of the Company which will be outstanding at the time of the closing with the underwriters (thus making them subject to the provisions of section 16(b) of the Exchange Act), and that the Representatives, either alone or together with one or more such other underwriters, might acquire more than 50 percent of such Shares. Since the

purpose of the purchase by the Representatives and the other underwriters is for resale in connection with the initial distribution of Shares of the Company, it will be a transaction effected in connection with a distribution of a substantial block of securities within the purpose and spirit of rule 16b-2 under the Exchange Act.

The application further states that it is necessary for the Representatives to obtain the exemption requested by the application because of the requirements of the last clause of the first sentence of paragraph (a) (3) of rule 16b-2 under the Exchange Act, since it appears likely that the aggregate participation of underwriters who would not require an exemption from section 16(b) of the Exchange Act will not be at least equal to the participation of the Representatives (and possibly other underwriters) who will require such exemption.

Applicant asserts that in addition to purchases from the Company and sales to customers, there may be the usual transactions of purchase or sale incident to a distribution, such as stabilizing purchases, over-allotments, purchases to cover over-allotments and sales of Shares purchased in stabilization.

Applicant states that no underwriter has any inside information or possibility of using inside information and that, in fact, there is no inside information in existence since the Company, prior to the initial distribution, will have virtually no assets or business of any sort. Applicant also states that no director or officer of any underwriter is a director or officer of the Company, although one of the directors of the Company was, until April 1972, a director of Applicant.

Section 30(f) of the Act imposes the duties and liabilities of section 16 of the Exchange Act upon, among others, beneficial owners of more than 10 percent of any class of outstanding securities of a registered closed-end investment company. Section 16 of the Exchange Act also contains reporting requirements and provisions for accountability for profits from purchases and sales or sales and purchases within 6 months of any equity security by those persons covered thereby.

Applicant represents that the requested exemption from the provisions of section 30(f) of the Act is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Section 6(c) of the Act authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than April 25,

1973, 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter, accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

•[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7539 Filed 4-18-73; 8:45 am]

[812-3272]

### GROUP SECURITIES, INC. AND ROBERT H. CRAFT

#### Notice of Filing of Application for Exemption

Notice is hereby given that Group Securities, Inc. (Company), 1 Exchange Place, Jersey City, N.J. 07302, a Delaware corporation registered under the Investment Company Act of 1940 (Act) as an open-end diversified management investment company, and Robert H. Craft (Craft), 20 Exchange Place, New York, N.Y. 10005, a director of the Company (hereinafter together referred to as "Applicants"), have filed an application for an order of the Commission pursuant to section 6(c) of the Act declaring that Craft shall not be deemed an "Interested person" of the Company within the meaning of section 2(a)(19) of the Act solely by reason of his status as a director of the Massachusetts Mutual Life Insurance Co. (Mass Mutual), and a director of Mass Mutual Corporate Investors, Inc. (Corporate Investors), and of Mass Mutual Income Investors, Inc. (Income Investors), companies affiliated with Mass Mutual. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Craft, a director of the Company, is also a director and member of the executive and investment policy committees of Mass Mutual, a broker-dealer registered under the Securities Exchange Act of 1934. Mass Mutual, a major insurance company, is also the investment adviser to, and sponsor of, Corporate Investors and Income Investors, both of which are closed-end investment companies.

The application states, among other things, that Craft's principal occupation is chairman of the board of Mississippi River Corp. and chairman of the finance committee and director of Missouri Pacific Railroad Co. He is not an officer of Mass Mutual and Mass Mutual has never sold shares of the Company to the public nor executed transactions on behalf of the Company. The application further states that Mass Mutual has registered as a broker-dealer solely because it sells variable annuities, and that it does not otherwise act as a broker-dealer in any capacity.

Applicant agrees that so long as Craft shall be a director of the Company, the Company will not permit Mass Mutual to sell its shares or to execute portfolio transactions on its behalf. Under these circumstances, Applicants state that there is no conflict of interest which would prevent, or tend to prevent, Craft from acting as a disinterested director of the Company.

Section 2(a)(19) of the Act, in pertinent part, defines an "interested person" of an investment company as any broker or dealer registered under the Securities Exchange Act of 1934 or any affiliated person of such broker or dealer. Section 2(a)(3) of the Act defines an affiliated person of another person to include any director or employee of such other person.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than May 7, 1973, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the addresses set forth above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and

regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in such application, unless an order for hearing upon such application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.73-7540 Filed 4-18-73;8:45 am]

[812-3340]

#### INVESTORS SYNDICATE OF AMERICA, INC. ET AL.

##### Notice of Filing of Application for an Order of Commission Exempting Certain Transactions

Notice is hereby given that Investors Syndicate of America, Inc. (Syndicate), a Minnesota corporation registered under the Investment Company Act of 1940 (Act) as a face-amount certificate company; IDS Mortgage Corp. (Mortgage Corporation), which engages in the origination, purchase, sale and servicing of mortgages; Investors Syndicate Title and Guaranty Co. (Title), 405 Lexington Avenue, New York, N.Y. 10017, a mortgage participation company which is wholly owned by Syndicate; and Investors Syndicate Development Corp. (Development), IDS Tower, Minneapolis, Minn. 55402, a wholly owned subsidiary of Syndicate involved in real estate ventures (hereinafter referred to collectively as "Applicants"), have filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting the transactions described below from the provisions of section 17(a), 17(d), and 17(e) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

In an application involving these same Applicants, the Commission, by order dated October 8, 1971 (Investment Company Act Release No. 6766) (the 1971 Order), granted exemptions from the Act identical to those sought herein. The notice of that application (Investment Company Act Release No. 6736) indicated that Applicants had agreed that any order issued pursuant to that application would be limited in duration to 1 year, at which time Applicants could seek to have such order renewed. The purpose of the present application is to seek renewal of the 1971 Order for an indefinite period.

Applicants state that they are all affiliated persons and that they are all under the common control of Investors Diversified Services, Inc. (Investors). Appli-

cants request an exemption from the above provisions of section 17 of the Act to permit Mortgage Corporation to sell mortgages to Syndicate and Title, and to permit the payment of fees to Mortgage Corporation in connection with mortgages sold to Syndicate and Title, and for origination and other services performed by Mortgage Corporation for Development.

Applicants state that prior to 1966 the activities of Investors included mortgage brokerage, and that Investors originated mortgages, sold them as required to Syndicate and Title and handled servicing pursuant to various exemptive orders issued by the Commission. Investors transferred its mortgage brokerage facilities to Mortgage Corporation in 1966, but Mortgage Corporation, rather than selling mortgages directly to Syndicate or Title, continued a practice adopted by Investors sometime prior to 1966 of finding potential borrowers, tendering the potential loans to correspondents, and subsequently servicing the mortgages in the hands of Syndicate or Title after they were acquired from the correspondents. Applicants state that in connection with mortgages originated by Mortgage Corporation and subsequently acquired by Syndicate and Title, Mortgage received origination fees in the maximum amount of 1 percent of the purchase price pursuant to section 17(e)(2)(c).

Applicants state that Syndicate and Title wish to acquire commercial mortgages for construction and permanent financing to be originated by Mortgage Corporation. Applicants also state that for a variety of reasons, including the establishment of a stronger lien position, it would be best to incorporate such financing in one mortgage to be held by Mortgage Corporation during the construction period and assigned to the ultimate purchaser upon completion of the improvements. Applicants also assert that if one set of documents could be used, Mortgage Corporation, either Syndicate or Title, and the borrower could execute a "Buy-Sell Agreement" under which the three parties would have a firm understanding as to the interim and permanent financing. This agreement would be subject to specific performance by Syndicate or Title. Applicants further state that while such an agreement would not provide an absolute guarantee of performance by the borrower, it would put Syndicate or Title in a much stronger position to obtain the mortgages for which they issued commitments, and would thus avoid the necessity of locating other investments under less advantageous conditions.

Applicants state that neither Syndicate nor Title possess the staff or facilities for mortgage origination or for servicing and managing a mortgage portfolio. Consequently, Applicants state various services are currently being performed by Mortgage Corporation for Syndicate and Title pursuant to origination and servicing agreements entered into on January 2, 1967. Applicants also state that although they believe fees for servicing functions are not prohibited by

section 17 of the Act under ordinary conditions, such section may apply to servicing fees charged on mortgages sold by Mortgage Corporation to Syndicate and Title. Applicants further state that the servicing fees charged on mortgages sold by Mortgage Corporation to Syndicate and Title, which charges will be the same as under the agreements entered into on January 2, 1967, are comparable to servicing fees charged to other mortgage holders under servicing agreements with Mortgage Corporation, and with servicing fees charged generally in the industry.

Applicants state that Development, which will enter into joint ventures and other real estate investment projects, will require services and fees different than those involved in the origination and servicing of conventional mortgages. Thus, Development will advance all or a substantial part of the equity funds required by the venture and enter into partnership with a contractor and others, become a part owner of the property, with their cash advance being repaid from the cash flow of the project. Applicants also state that such a joint venture, as opposed to a conventional mortgage, requires, among other things, market studies, negotiations, and financial projections.

Applicants state that Mortgage Corporation's fee for such services would not exceed 5 percent of the equity of the venture and would normally, but not necessarily, be paid by the contractor with the amount subject to negotiation between the parties. Applicants also state that Mortgage Corporation contemplates an additional maximum commission of 1 percent, paid by the mortgagor, in the venture proposal, as well as construction loan fees at the going market rate.

Applicants state that with regard to joint ventures, Mortgage Corporation may be required, among other things, to follow scheduling and construction, to supervise maintenance and management, to review financial records, and to recommend business decisions. Applicants also state that the payment of an annual management fee not to exceed 2 percent of the equity value, to be paid by Development to the extent of its interest in the venture, is fair and reasonable.

Applicants state that the terms of the proposed transactions, including any consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned. Applicants claim that the considerations conform to general practices in the industry and have been arrived at on the basis of experience, arm-length bargaining, and full understanding of the costs and considerations involved. Applicants also state that each of them conducts business on a "profit-center concept" and each is desirous of achieving a profitable operation.

During the period from October 8, 1971, to October 7, 1972, Mortgage Corporation assigned one mortgage in the amount of \$1,200,000, to Syndicate, and 10 mortgages totaling \$1,510,750, to Title.

Mortgage Corporation acted as a broker in connection with the acquisition by Syndicate of 14 mortgages totaling \$19,305,000. Applicants state that no joint ventures or real estate projects developed during this period because of adverse market conditions, but that they wish to retain the right to enter into such arrangements should appropriate opportunities arise.

Section 17(a) of the Act, as here pertinent, prohibits any affiliated person of a registered investment company from selling to or buying from such company any security or other property. Section 17(d) of the Act and rule 17d-1 thereunder, taken together, provide, as here pertinent, that it shall be unlawful for an affiliated person of a registered investment company or an affiliated person of such a person, acting as principal, to participate in, or effect any transaction in which such registered company or a company controlled by such registered company is a joint or joint and several participant unless, prior thereto, an application regarding such arrangement has been filed with, and granted by, the Commission. Section 17(e) (1) of the Act prohibits an affiliated person of a registered investment company, acting as agent, from accepting from any source any compensation for the purchase or sale of any property to or for such company or its controlled companies.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security, or transaction from any provision or provisions of the Act, or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants consent to the following conditions:

(1) No mortgage sold to, or obtained for, Syndicate or Title by Mortgage Corporation shall involve a fee of more than 1 percent of the principal amount paid by the seller or mortgagor: *Provided*, That new construction financing by Mortgage Corporation in connection with any such mortgages may involve such fee as may be negotiated between Mortgage Corporation and mortgagor;

(2) No mortgage shall be sold to Syndicate or Title at a price in excess of the price committed by Syndicate or Title at the time of origination by Mortgage Corporation;

(3) No mortgage shall be sold by Mortgage Corporation to, or purchased by, Syndicate or Title from Mortgage Corporation if such mortgage results from the sale of real estate owned by an affiliated person of the Applicants herein, or if the mortgagor is an affiliated person of Applicants, except as herein otherwise provided with respect to enterprises entered into by Development;

(4) Fees payable to Mortgage Corporation by Syndicate and Title for mortgage servicing and management shall be as follows:

(a) Monthly management fees applicable to outstanding principal loan balances:

properties:	Management Fee
1. Residential loans and	
All -----	1/12 of 1/8 %
2. Commercial loans and	
properties:	
Up to \$50,000 -----	1/12 of 1/8 %
\$50,000 to \$200,000 -----	1/12 of 1/12 %
\$200,000 and over -----	1/12 of 1/4 %

(b) Acquisition setup fees applicable to the original loan balances of new loans (single charge):

1. Residential loans:	Acquisition fee
All -----	1/4 %
2. Commercial loans:	
Up to \$50,000 -----	1/4 %
\$50,000 to \$200,000 -----	3/10 %
\$200,000 and over -----	1/2 %

(c) Monthly servicing fees applicable to outstanding principal loan balances:

1. Residential loans:	Servicing fee
All -----	1/12 of 3/8 %
2. Commercial loans:	
Up to \$50,000 -----	1/12 of 3/8 %
\$50,000 to \$200,000 -----	1/12 of 1/2 %
\$200,000 and over -----	1/12 of 1 %

5. Fees accepted by Mortgage Corporation in connection with a joint venture or real estate investment project involving Development shall not exceed single charges of 5 percent on equity and 1 percent on mortgage investment, and a 2 percent annual charge on equity value for management and servicing functions performed, and construction financing fees at the going market rate where such financing is undertaken by Mortgage Corporation;

6. All fees in connection with joint venture or other real estate investment projects shall be negotiated between Development and Mortgage Corporation on the basis of factors involved in each individual venture or project, and shall be determined by management of Development to be fair and reasonable;

7. All transactions referred to herein shall be carried out in accordance with the representations made by Applicants in the application for this order.

8. Applicants will file with the Commission reports with respect to all fees paid to Mortgage Corporation in connection with any joint venture or real estate investment project involving Development, such reports to be filed within 30 days of such payment.

Notice is further given that any interested person may, not later than May 8, 1973, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20540. A copy of such



request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the addresses stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, and order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7541 Filed 4-18-73;8:45 am]

[File No. 500-1]

#### ORECRAFT, INC.

##### Order Suspending Trading

APRIL 13, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.04 par value, and all other securities of Orecraft, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 15, 1973, through April 24, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7530 Filed 4-18-73;8:45 am]

[File No. 500-1]

#### PELOREX CORP.

##### Order Suspending Trading

APRIL 13, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.10 par value, and all other securities of Pelorex Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act

of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 16, 1973 through April 25, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7531 Filed 4-18-73;8:45 am]

[File No. 500-1]

#### PHOTON, INC.

##### Order Suspending Trading

APRIL 13, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$1 par value and all other securities of Photon, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 15, 1973, through April 24, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7532 Filed 4-18-73;8:45 am]

[File No. 500-1]

#### PROOF LOCK INTERNATIONAL CORP.

##### Order Suspending Trading

APRIL 13, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.01 par value, and all other securities of Proof Lock International Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 14, 1973 through April 23, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7533 Filed 4-18-73;8:45 am]

[File No. 500-1]

#### RADIATION SERVICES, INC., AND MERIDIAN FAST FOOD SERVICES, INC.

##### Order Suspending Trading

APRIL 10, 1973.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock, \$0.01 par value, and all other securities of Radiation Services, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 11, 1973, through April 20, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7534 Filed 4-18-73;8:45 am]

[File No. 500-1]

#### TEXTURED PRODUCTS, INC.

##### Order Suspending Trading

APRIL 13, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.10 par value and all other securities of Textured Products, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 15, 1973 through April 24, 1973.

By the Commission.

RONALD F. HUNT,  
Secretary.

[FR Doc.73-7535 Filed 4-18-73;8:45 am]

[File No. 500-1]

#### TOPPER CORP.

##### Order Suspending Trading

APRIL 13, 1973.

The common stock, \$1 par value of Topper Corp. being traded on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Topper Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities on the above-mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective

for the period April 14, 1973, through April 23, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7536 Filed 4-18-73;8:45 am]

[812-3340]

#### TRANSATLANTIC FUND, INC.

##### Notice of Application for Exemption

Notice is hereby given that Transatlantic Fund, Inc. (Fund and Applicant), c/o the Canadian Bank of Commerce Trust Co., 20 Exchange Place, New York, N.Y. 10005, a diversified, open-end management investment company registered under the Investment Company Act of 1940 (Act), has filed an application for an order of the Commission pursuant to section 6(c) of the Act declaring that James H. Walker (Walker), shall not be deemed an "interested person" of the Fund within the meaning of section 2(a)(19) of the Act solely by reason of his status as a director of the Equitable Life Assurance Society of the United States (Equitable). All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Walker, a member of the board of directors of the Fund, is also a director of Equitable, a mutual insurance company incorporated under the laws of New York, which is in the business of selling life insurance and variable annuities. Equitable sells individual variable annuities funded by separate accounts which are registered under the Act, and HR-10 plans funded by separate accounts that are registered under the Securities Act of 1933. Solely because it sells variable annuity contracts and HR-10 plans, Equitable has registered as a broker-dealer under the Securities Exchange Act of 1934 and is a member of the National Association of Securities Dealers, Inc. (NASD).

In December 1971, Equitable organized a wholly owned brokerage subsidiary, Equico Securities, Inc. (Equico), which is a member of the Philadelphia-Baltimore-Washington Stock Exchange. Equico is not at present registered as a broker-dealer under the Securities Exchange Act of 1934, nor is it at present a member of the NASD. Applicant is informed that Equico deals only in listed securities, and acts as a broker solely for Equitable.

Applicant represents that neither Equitable nor Equico has ever engaged in securities transactions on behalf of the Fund or participated in the distribution of shares of the Fund. Furthermore, the Fund warrants that, so long as Walker remains a director of the Fund, it will not knowingly purchase any securities from or through, or sell any securities to or through, Equitable or any subsidiary of Equitable, and Equitable will not be permitted to participate in any distribution of the Fund's shares.

Applicant represents that Walker in no way participates in the day-to-day operations of Equitable, and that he is neither a director nor an officer of Equico, nor in any other way a participant in the day-to-day operations of Equico.

Section 2(a)(19) of the Act, in pertinent part, defines an "interested person" of an investment company and its principal underwriter to include any broker or dealer registered under the Securities Exchange Act of 1934, or any affiliated person of such broker or dealer. Section 2(a)(3) of the Act defines an affiliated person of another person to include any director of such other person.

Walker, as director of Equitable, is an affiliated person of a broker or dealer, and is thus an "interested person" of the Applicant.

Applicant contends that Walker should not be deemed an "interested person" of the Fund because his affiliation with Equitable does not affect, and will not impair, his independence in acting on behalf of Applicant and its shareholders, and the requested exemption is therefore consistent with the provisions of section 6(c) of the Act.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions from any provision of the Act or of any rule or regulation under the Act if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than May 7, 1973, at 5:30 p.m., submit to the Commission in writing a request for hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in the application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will re-

ceive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7542 Filed 4-18-73;8:45 am]

[File No. 500-1]

#### TRIEX INTERNATIONAL CORP.

##### Order Suspending Trading

APRIL 13, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.01 par value, of Triex International Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 14, 1973 through April 23, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.73-7537 Filed 4-18-73;8:45 am]

[File No. 500-1]

#### U.S. FINANCIAL INC.

##### Order Suspending Trading

APRIL 13, 1973.

The common stock, \$2.50 par value, of U.S. Financial Inc., being traded on the New York Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of U.S. Financial Inc., being traded otherwise than on a national securities exchange;

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the above-mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 14, 1973, through April 23, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc. 73-7538 Filed 4-18-73;8:45 am]

[812-3403]

**WEIS, VOISIN & CO., INC.****Notice of Application for Order of Exemption**

Notice is hereby given that Weis, Voisin & Co., Inc. (Applicant), 17 Battery Plance North, New York, N.Y. 10004, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (Act) for an order exempting the transactions described herein from section 30(f) of the Act to the extent that such section adopts section 16(b) of the Securities Exchange Act of 1934 (the Exchange Act). All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant is the prospective representative (Representative) of a group of underwriters (Underwriters) to be formed in connection with the proposed public offering of up to 1,100,000 shares of the common stock (Shares) of Steadman Income Securities Fund, Inc. (Company), a registered, closed-end diversified management investment company incorporated under the laws of the State of Delaware on February 6, 1973.

The application states that it is contemplated that each Underwriter, including the Representative, will execute an Agreement Among Underwriters and that the Representative, acting both for itself and as Representative of the several Underwriters, will execute an Underwriting Agreement with the Company and Steadman Securities Corp., the Company's investment adviser (Adviser), and that under the proposed underwriting arrangements, each Underwriter will be obligated to offer to the public, respectively, its underwriting commitment.

The application also states that it is possible that the underwriting commitment of several of the Underwriters, including the Representative, will exceed 10 percent of the aggregate number of shares of the Company's common stock to be outstanding after the closing of the public offering of the Shares. Since section 30(f) of the Act subjects every person who is directly or indirectly the beneficial owner of more than 10 percent of any class of outstanding securities of the Company to the same duties and liabilities as those imposed by section 16 of the Exchange Act upon certain owners in respect of their transactions in certain securities, such Underwriters may, accordingly, become subject to the filing requirements of section 16(a) of the Exchange Act, and, upon resale of the Shares purchased by them to their customers, subject to the obligations imposed by section 16(b) of the Exchange Act.

Rule 16b-2 under the Exchange Act exempts certain underwriters from the operation of section 16(b) thereof. The application states that it seems likely that several of the Underwriters, through their participation in the dis-

tribution of the Shares, will not be entitled to rely upon rule 16b-2 to exempt them from section 16(b) of the Exchange Act.

Applicant asserts that in addition to purchases of Shares from the Company and sales of Shares to customers, there may be the usual transactions of purchase or sale incident to a distribution such as stabilizing purchases, purchases to cover overallocments or other short positions created in connection with such distribution, and sales of Shares purchased in stabilization. Applicant also contends that all material facts with respect to the Company will be set forth in the prospectus pursuant to which the Shares will be offered and sold to the general public; that no director or officer of the Applicant is a director or officer of either the Company or the Adviser; and that it is not anticipated that any partner, director or officer of any other Underwriter will be a director or officer of the Company or the Adviser. In addition, the application states that there is no inside information which any of the Underwriters could use.

Section 6(c) of the Act authorizes the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than May 4, 1973, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter,

including the date of the hearing (if ordered) and any postponement thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.73-7543 Filed 4-18-73;8:45 am]

[812-3382]

**KEYSTONE CUSTODIAN FUNDS, INC.;  
TRUSTEE FOR KEYSTONE CUSTODIAN  
FUND, SERIES S-4****Notice of Application for an Order**

Notice is hereby given that Keystone Custodian Funds, Inc., a Delaware corporation, 99 High Street, Boston, Mass. 02104 (Keystone), as trustee of Keystone Custodian Fund, series S-4 (the Fund), which trust is registered as an open-end diversified management investment company under the Investment Company Act of 1940 (the Act), has filed an application pursuant to section 6(c) of the Act for exemption from section 22(d) of the Act and rule 22c-1 thereunder to permit a public offering of Fund shares in Japan to Japanese and other non-U.S. nationals in accordance with Japanese law and regulations, but under terms and with sales charges which differ from the terms and charges described in the prospectus of the Fund that is used in the United States. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Section 22(d) of the Act provides, in substance, that no registered investment company may sell any redeemable security issued by it except either to or through a principal underwriter for distribution or at a current public offering price described in its prospectus. Such current public offering price includes the sales charge and is subject to such terms and options as rights of accumulation, automatic withdrawal and purchases under a letter of intent as described in the prospectus.

Rule 22c-1 under the Act provides, in pertinent part, that a redeemable security may be sold only at a price based on the current net asset value of the security which is next computed after receipt of an order to purchase such security.

The application states that as a part of a single offering, the Nomura Securities Co., Ltd. of Japan (Nomura) would purchase shares from the Fund at the net asset value next computed in accordance with rule 22c-1 and subsequently, within a short period of time, resell these shares in Japan solely to non-U.S. nationals. The purchase price on resale would be the lesser of the price at which Nomura purchased such shares from the Fund or the then prevailing current net asset value, i.e., the net asset value determined as of the close of

the market on the previous day, plus a sales charge not in excess of the sales charge permitted under applicable Japanese regulations. The sale of these shares in Japan will be subject to Japanese regulations and Japanese marketing practices, and differences in the sales charges and related terms and conditions are described as necessary as a practical matter for the Fund's entry into the Japanese capital market.

The application also states that under Japanese regulations, in order for Nomura to make an initial block offering, Nomura must make sales at a known price, and it is for this reason that the sale price initially will be based upon a previously determined net asset value. After the initial single offering, Nomura will continue to offer shares of the Fund in Japan upon the same terms described herein, but at a price based upon the net asset value of the shares next computed by the Fund in accordance with rule 22c-1.

The application further states that the maximum sales charge to be charged to purchasers of shares of the Fund in Japan will be less than the sales charge in effect in the United States, and the reduced charges for larger quantities will be different from those applying to sales in the United States. A minimum purchase requirement will be applicable to Japanese purchases while there is no such requirement in the United States. Keystone represents that permissible sales charges in Japan are determined by the various securities dealers associations as a matter of self-regulation. Nomura, in consultation with the Tokyo Securities Dealers Association (TSDA), has determined that sales charges and breakpoints imposed on sales of foreign funds in Japan should be fairly closely related to those currently prevailing for similar Japanese mutual funds. The TSDA has reviewed the charges proposed for the sale of the Fund and has found them acceptable. No objection will be raised with respect to those charges except that some future minor modification may be made as noted below. Although the TSDA position does not have the formal stature of a decree or regulation, members must comply with it as a practical matter. The Fund has been advised by Nomura that the imposition of the same schedule of sales charges used by the Fund in the United States would not be appropriate.

Keystone contends that such options as rights of accumulation, automatic withdrawal, aggregation of purchases by "any person" under rule 22d-1, and purchases under a letter of intent, would not be available under the proposed offering in Japan at the present time, and that it is not the present practice in Japan to permit a lower sales charge on the basis of letters of intention or shares previously purchased by an investor. Therefore, the present practice in that country does not encompass such rights.

Keystone also contends that in sum, shares of the Fund would be required to be sold with a sales charge which would differ from the sales charges described

in the current prospectus of the Fund that is used in the United States and, hence, the public offering price in Japan would differ from the public offering price described in the current prospectus.

The following table included in the application compares the sales charges and breakpoints applicable to sales of the Fund shares in the United States to the proposed sales charges and breakpoints expected to be applicable in Japan:

**KEYSTONE CUSTODIAN FUND, SERIES S-4 U.S. SALES CHARGES AND BREAKPOINTS**

On individual sales of:	Sales charge as a percentage of the sales price (percent)
Less than \$15,000	8.75
\$15,000 or more but less than \$25,000	8.75
\$25,000 or more but less than \$50,000	6.50
\$50,000 or more but less than \$100,000	5.00
\$100,000 or more but less than \$250,000	3.75
\$250,000 or more but less than \$500,000	2.75
\$500,000 or more but less than \$1 million	2.25
\$1 million or more	1.00

The current official dollar to yen exchange rate is 1:308.

**KEYSTONE CUSTODIAN FUND, SERIES S-4 PROPOSED JAPANESE SALES CHARGES AND BREAKPOINTS**

Amount of purchase:	Sales charge as a percentage of the sales price (percent)
\$500,000 but less than ¥5 million	6.10
¥5 million but less than ¥10 million	5.21
¥10 million but less than ¥100 million	4.31
¥100 million and over	3.38

It is possible that the proposed sales charges in Japan may later have to be slightly modified to permit a sales charge of 6.54 percent with regard to the maximum and a sales charge of 2.91 percent with regard to the minimum to meet amended Japanese requirements, and the requested exemption would also apply to such a change.

Section 6(c) of the Act permits the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities or transactions, from the provisions of the Act and rules promulgated thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Keystone represents that the exemption of said proposal from the provisions of section 22(d) of the Act and rule 22c-1 thereunder, pursuant to section 6(c), is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than May 9, 1973, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of

fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponement thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.73-7528 Filed 4-18-73; 8:45 am]

[File No. 500-1]

LILAC TIME, INC.

Order Suspending Trading

APRIL 13, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$0.05 par value, and all other securities of Lilac Time, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from April 15, 1973, through April 24, 1973.

By the Commission.

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.73-7529 Filed 4-18-73; 8:45 am]

**TARIFF COMMISSION**

[TEA-F-51, TEA-W-192]

I. JABLOW & CO., INC.

Firm and Workers' Petition for Determinations; Notice of Investigation

On the basis of petitions filed under section 301(a) (2) of the Trade Expansion Act of 1962, on behalf of I. Jablow & Co., Inc., Philadelphia, Pa., and its former workers, the U.S. Tariff Commission, on April 16, 1973, instituted investigations under sections 301(c) (1) and 301

(c) (2) of the act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with boys' and infants' dress and sport shirts, knit and nonknit, of cotton or manmade fibers; boys' robes; and boys' pajamas (of the types provided for in items 380.00, 380.02, 380.04, 380.06, 380.15, 380.18, 380.21, 380.24, 380.27, 380.63, 380.66, 380.81, 380.84, 382.00, 382.04, 382.06, 382.33, 382.78, and 382.81 of the "Tariff Schedules of the United States") produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to such firm, and/or the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed on or before April 30, 1973.

This notice supersedes the Commission's notice of investigation on behalf of the workers published in 38 FR 8319 on March 30, 1973.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, 8th and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in room 437 of the Customhouse.

Issued April 16, 1973.

By order of the Commission.

[SEAL] KENNETH R. MASON,  
Secretary.

[FR Doc.73-7578 Filed 4-18-73;8:45 am]

## INTERSTATE COMMERCE COMMISSION

[Notice No. 223]

### ASSIGNMENT OF HEARINGS

APRIL 16, 1973.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 30032 Sub 3, Houdek Motor Service, Inc., now assigned May 7, 1973, at Chicago, Ill., is postponed indefinitely.

MC-F-11292, Trans-World Movers, Inc.—purchase—portion—R. M. Ormes Transportation, Inc., now being assigned June 13, 1973, at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 71459 Sub 33, O.N.C. Freight Systems, now assigned May 14, 1973, at Denver, Colo., is canceled and reassigned to May 14, 1973, at the Alamosa Inn, Alamosa, Colo.

MC 50069 Sub 457, Refiners Transport & Terminal Corp., now assigned June 13, 1973, at Chicago, Ill., is advanced to June 12, 1973, at Chicago, Ill., in a hearing room to be later designated.

MC-124692 Sub 96, Sammons Trucking, now being assigned hearing June 18, 1973 (1 week), at Portland, Oreg., in a hearing room to be later designated.

MC 138100, Mellow Truck Express, Inc., now assigned June 18, 1973 (1 week), at Portland, Oreg., is postponed indefinitely.

MC-F-11699, Old Dominion Freight Line—Control—Star Transport Co., Inc., now assigned May 15, 1973, at Washington, D.C., is postponed to June 12, 1973, at the offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-7572 Filed 4-18-73;8:45 am]

[S.O. No. 1124]

### NATIONAL ASSOCIATION OF FOOD CHAINS Demurrage and Free Time on Freight Cars

*Order.*—At a session of the Interstate Commerce Commission, division 3, acting as an appellate division, held at its office in Washington, D.C., on the 12th day of April 1973.

Upon consideration of the petition filed by the National Association of Food Chains on March 26, 1973, requesting vacation or modification of service order No. 1124.

It appearing, that the relief sought by petitioner is predicated upon its view that it cannot unload rail cars subject to service order No. 1124 within the 24-hour free-time period therein provided; that, however, our revised service order No. 1124, issued on March 28, 1973, modified service order No. 1124, inter alia, to provide for maximum free time of 48 hour for loading and unloading in lieu of the 24-hour maximum prescribed by the prior order herein and provides for average demurrage rules; and, therefore, the petition should be dismissed for the reason that relief sought is moot in light of our action as just described; and good cause appearing:

*It is ordered,* That the petition be, and it is hereby, denied.

By the Commission, Division 3, acting as an appellate division.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-7570 Filed 4-18-73;8:45 am]

[No. 35824]

### UNION EQUITY COOPERATIVE EXCHANGE Petition for Declaratory Order; Equitable Distribution of Railroad Freight Cars

APRIL 11, 1973.

Freight car distribution rules—ICC to consider petition for establishment of policy—notice of participation due on or before May 29, 1973.

Notice is hereby given that, by petition filed on April 10, 1973, Union Equity Cooperative Exchange filed a petition pursuant to the provisions of section 554(e) of the Administrative Procedure Act, 5 U.S.C. 554(e), seeking a declaratory order establishing an equitable policy for the distribution of empty railroad freight cars. The relief is also sought pursuant to section 1(15) of the Interstate Commerce Act.

Petitioner alleges that it is not receiving enough, or a fair supply, of empty cars, as is evident from the fact that its wheat inventory at Enid, Okla., has decreased at a much slower rate than have inventories at other grain terminals north of Enid and throughout the Midwest.

Petitioner further alleges that, although sections 1(4) and 1(11) of the Interstate Commerce Act require every carrier by railroad to furnish and enforce just and reasonable rules, regulations, and practices with respect to car service, such reasonable car distribution policies and practices are not being adhered to.

Petitioner states its belief that the Commission's traditional guideline is that all shippers of like commodities should receive basically the same percentage of cars in relation to the number ordered, but that through a possible misunderstanding of that policy petitioner is being penalized because the vast majority of its interior storage capacity is concentrated at Enid. Petitioner avers that if its storage capacity were divided among several different locations it would be receiving many more empty cars for loading than are presently being received. Petitioner contends that its competitors' facilities are situated at many different locations, which enables them to obtain a greater supply of cars than is being furnished to petitioner. Because of the situation, shipments from Enid have allowed petitioner's Houston, Tex., elevator to operate at less than 20 percent of capacity while, at the same time, other elevators at Houston and other ports are being embargoed periodically. Finally, petitioner states that the policy under which it receives cars ignores petitioner's ability to increase by a substantial margin the utilization of rail freight cars, engine power, yard facilities, etc.

Any person interested in the matter which is the subject of the petition and who wishes to participate actively in any further proceedings herein shall notify this Commission, by filing with the Office of Proceedings, room 5342, 12th Street and Constitution Avenue NW, Washington, D.C. 20423, on or before May 29, 1973, an original and one copy of a statement of his intention to participate. Thereafter, the nature of further proceedings herein, if any, will be designated. The petition and statements of intent to participate, if any, will be available for public inspection at the offices of the Commission during regular business hours.

A copy of this notice will be served upon the petitioner, and notice of the filing of the petitioner will be given to



the general public by depositing a copy of this notice in the Office of the Secretary of the Commission at Washington, D.C., and by delivering a copy hereof to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

[SEAL] ROBERT L. OSWALD,  
Secretary.  
[FR Doc.73-7568 Filed 4-18-73;8:45 am]

[Ex Parte No. MC-43]

# GARRETT FREIGHT LINES, INC.

## Lease and Interchange of Vehicles by Motor Carriers

*Order.* At a Session of the Interstate Commerce Commission, Motor Carrier Leasing Board, held at its office in Washington, D.C., on the third day of April 1973.

It appearing, that a petition has been filed by Garrett Freight Lines, Inc. (MC-236 and various subs) to intervene in a proceeding docketed Ex parte No. MC-43, Lease and Interchange of Vehicles by Motor carriers, in which the Commission, Motor Carrier Leasing Board, by an order dated August 30, 1972, granted waiver of paragraph (b) of section 1057.5 of the Lease and Interchange of Vehicles Regulations (49 CFR 1057) concerning equipment interchanged solely between O.N.C. Motor Freight System, a corporation (MC-71459 and four subs), hereafter called O.N.C. and Bestway Motor Freight, Inc. (MC-9269 and three subs), hereafter called Bestway, and requesting that the order be set aside; and that a joint reply has been filed;

It further appearing, that O.N.C. and Bestway are authorized to serve the common point of the Ice Harbor Dam site, Washington, but that Bestway is not authorized to serve Pasco, Washington, a point 10 miles distant, where inspection of equipment to be interchanged at the Ice Harbor Dam site takes place by virtue of the above waiver;

And it further appearing, that the order of August 30, 1972, was issued and waiver granted because the Ice Harbor Dam site is an isolated point where no inspection facilities or personnel are available, the acceptable motor carrier safety records of O.N.C. and Bestway and the favorable recommendation of the U.S. Department of Transportation;

And it further appearing, that the above order assists O.N.C. and Bestway in performing through service between the major traffic points of Spokane, Wash., and Portland, Oreg., by interlining routes that were granted to enable each to serve the Ice Harbor Dam site; and that while those routes are not restricted against such interlining, no sufficient showing has been made why this interlining should be encouraged or its inherent disadvantages mitigated through waiver of the requirement, applicable to carriers generally, that the vehicle inspection be performed at the interchange point;

*It is ordered,* That the above petition be, and it is hereby granted;

*It is further ordered,* That the order of August 30, 1972, described above, be, and it is hereby vacated.

By the Commission, Motor Carrier Leasing Board.

[SEAL] ROBERT L. OSWALD,  
Secretary.  
[FR Doc.73-7569 Filed 4-18-73;8:45 am]

[Notice No. 48]

## MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 13, 1973.

The following are notices of filing of applications, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a (a) of the Interstate Commerce Act provided for under the new rules of Ex parte No. MC-67 (49 CFR part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of these applications must be filed with the field official named in the FEDERAL REGISTER publication on or before May 4, 1973. One copy of such protests must be served on the applicant, or its authorized representatives, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

### MOTOR CARRIERS OF PROPERTY

No. MC 35628 (sub-No. 347 TA), filed April 5, 1973. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville, S.W., Grand Rapids, Mich. 49502. Applicant's representative: Leonard D. Verdier, Jr., One Vandenberg Center, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, frozen meats, nonedible foods* when moving in vehicles requiring mechanical refrigeration units, from Bettendorf, Iowa, to points in Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Ohio, Illinois, Indiana, Kentucky, and Michigan, for 180 days. Supporting shipper: D. J. Osbjornson, director, physical distribution, Lamb-Weston, Inc., division of Amfac, Inc., 6600 Southwest Hampton Street, P.O. Box 23507, Portland, Oreg. 97223. Send Protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 64932 (sub-No. 512 TA), filed April 5, 1973. Applicant: ROGERS CARTAGE CO., 10735 South Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same address as above).

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Reprocessed acid*, in bulk, in tank vehicles, from Lafayette, Ind., to Chicago, Ill. and points in its commercial zone, for 180 days. Supporting shipper: E. T. Dupont De Nemours & Company, 1007 Market Street, Wilmington, Del. 19808. Send protests to: District Supervisor Anderson, Bureau of Operations, Interstate Commerce Commission, 219 South Dearborn Street, room 1086, Chicago, Ill. 60604.

No. MC 82492 (sub-No. 77 TA), filed April 4, 1973. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, P.O. Box 2853, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods*, frozen prepared, from Cleveland and Solon, Ohio, to points in the Lower Peninsula of Michigan, for 180 days. Restriction: Restricted to traffic originating at the facilities utilized by Stouffer Frozen Foods. Supporting shipper: Lawrence P. Gould, distribution manager, Stouffer Frozen Foods, division of Stouffer Corp., 5750 Harper Road, Solon, Ohio. Send protests to: C. R. Flemming, district supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 107295 (sub-No. 642 TA), filed April 6, 1973. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Bruce J. Kinnee (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Veneer*, from the plantsite and warehouse facilities of Sykes Flooring Co., Inc. at Warren, Ark., to Memphis, Tenn., for 180 days. Supporting shipper: Sykes Flooring Co., Inc., P.O. Box 420, Warren, Ark. 71671. Send protests to: Harold C. Jolliff, district supervisor, Interstate Commerce Commission, Bureau of Operations, Leland Office Building, 527 East Capitol Avenue, room 414, Springfield, Ill. 62701.

No. MC 107295 (sub-No. 643 TA), filed April 6, 1973. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Bruce J. Kinnee (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefinished hardwood block flooring*, from the plantsite and warehouse facilities of Sykes Flooring Co., Inc., at Warren, Ark., to points in Connecticut, Delaware, Illinois, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, and Vermont, for 180 days. Supporting shipper: Sykes Flooring Co., Inc., P.O. Box 429, Warren, Ark. 71671. Send protests to: Harold C. Jolliff, district supervisor, Interstate Commerce Commission, Bureau of Operations, Leland Office Building, 527 East Capitol Avenue, room 414, Springfield, Ill. 62701.

No. MC 111401 (sub-No. 381 TA), filed April 6, 1973. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Hoyt C. Gabbard (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid waste materials*, in bulk, in tank vehicles, from points in Missouri, to Tulsa and Dover, Okla., for 180 days. Supporting shipper: Wesley W. Smith, vice president, United States Pollution Control, Inc., 2000 Classen Center, suite 200 S., Oklahoma City, Okla. 73106. Send protests to: C. L. Phillips, district supervisor, Interstate Commerce Commission, Bureau of Operations, room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 114265 (sub-No. 22 TA), filed April 5, 1973. Applicant: RALPH SHOE-MAKER, doing business as SHOE-MAKER TRUCKING CO., 8624 Franklin Road, Boise, Idaho 83705. Applicant's representative: F. L. Sigloh, 1134 North Orchard, Boise, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber mill products including plywood and built-up woods, hardboard, particleboard, panels and paneling*, from points in California on and North of U.S. Highway 50 and Los Angeles, Riverside, San Bernardino, Santa Barbara, Ventura, and Orange Counties, Calif., to points in Idaho south of the Salmon River, for 180 days.

NOTE.—Applicant does not intend to tack authority or interline with any other carrier.

Supporting Shipper: Georgia-Pacific Corp., 900 Southwest Fifth Avenue, Portland, Ore. Send protests to: C. W. Campbell, district supervisor, Bureau of Operations, Interstate Commerce Commission, 500 West Fort Street, Boise, Idaho 83724.

No. MC 115838 (sub-No. 8 TA), filed April 6, 1973. Applicant: COMMODITY HAULAGE CORPORATION, 146-92 New York Boulevard, Jamaica, N.Y. 11434. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rocket Motors* (class-B explosives), between John F. Kennedy International Airport in New York, N.Y. and points in Nassau and Suffolk Counties, N.Y., on traffic having an immediately prior or subsequent movement via air freight, for 180 days. Supporting shipper: Grumman Aerospace Corp., Bethpage, N.Y. 11714, attention: Mr. T. J. Lashinsky, traffic manager. Send protests to: Paul W. Assenza, district supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, room 1807, New York, N.Y. 10007.

No. MC 123407 (sub-No. 121 TA), filed April 4, 1973. Applicant: SAWYER TRANSPORT, INC., U.S. Highway 6, South Haven Square, Valparaiso, Ind. 46383. Applicant's representative:

Thomas J. Van Osdal, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Cloquet, Minn., to points in Indiana, Iowa, Michigan, Ohio, Wisconsin, Illinois (except Chicago and points in its commercial zone), and St. Louis, Mo., for 180 days. Supporting shipper: Northwest Paper Co., Avenue C and Arch Street, Cloquet, Minn. 55720. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, room 204, Fort Wayne, Ind. 46802.

No. MC 126899 (sub-No. 62 TA), filed April 6, 1973. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, P.O. Box 3051, Paducah, Ky. 42001. Applicant's representative: George M. Catlett, Suite 703-706, McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and *related advertising materials, and empty malt beverage containers on return*, from St. Louis, Mo., to Paducah, Ky., for 180 days. Supporting shippers: Paducah Distributing Co., 410 North 10 Street, P.O. Box 965, Paducah, Ky. 42001, and Meyer Distributing Co., 123 North 10 Street, Paducah, Ky. 42001. Send protests to: District Supervisor Floyd A. Johnson, Bureau of Operations, Interstate Commerce Commission, 933 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38102.

No. MC 128383 (sub-No. 27 TA), filed April 5, 1973. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, Pa. 19079. Applicant's representative: James W. Patterson, 123 South Broad Street, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment) having a prior or subsequent movement by air, between John F. Kennedy International Airport, New York, N.Y., and Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, Logan International Airport, Boston, Mass., for 180 days. Supporting shipper: Pan American World Airways, Pan Am Building, New York, N.Y. 10017. Send protests to: Peter R. Guman, district supervisor, Bureau of Operations, Interstate Commerce Commission, 1518 Walnut Street, room 1600, Philadelphia, Pa. 19102.

No. MC 128527 (sub-No. 37 TA), filed April 6, 1973. Applicant: MAY TRUCKING COMPANY, P.O. Box 398, Payette, Idaho 83661. Applicant's representative: John K. Gatchel, Box 195, Payette, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel pipe and culvert pipe and fittings*, from Multnomah and Clackamas Counties, Ore., to points in Nevada on and

north of U.S. Highway 40 and counties in Idaho south of the southern boundary of Idaho County; excluding Owyhee, Canyon, Ada, Elmore, Gem, Payette, and Washington Counties, for 180 days.

NOTE.—Carrier does not intend to tack authority or interline with any other carrier.

Supporting shipper: Beall Pipe & Tank Corp., P.O. Box 7907, Boise, Idaho 83707. Send protests to: C. W. Campbell, district supervisor, Bureau of Operations, Interstate Commerce Commission, 550 West Fort Street, Box 07, Boise, Idaho 83724.

No. MC 133161 (sub-No. 9 TA), filed April 4, 1973. Applicant: GRIESER TRUCKING CO., Route No. 1, Box 151-A, Archbold, Ohio 43502. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Corrugated sheets, pads, boxes, and related packaging*, from the plantsite of Georgia-Pacific Corp. at Archbold, Ohio, to points in Illinois, Indiana, Michigan, and Ohio and (2) *materials and supplies used in the manufacture and distribution of corrugated sheets, pads, boxes, and related packaging* (except commodities in bulk), from the States listed in (1) above to the plantsite of the Georgia-Pacific Corp. at Archbold, Ohio, for 180 days. Supporting shipper: Georgia-Pacific Corp., 3815 N. Carnation, Franklin Park, Ill. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 134068 (sub-No. 15 TA), filed April 5, 1973. Applicant: KODIAK REFRIGERATED LINES, INC., 3336 East Fruitland Avenue, Vernon, Calif. 90058. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 80606, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in California, to points in Illinois, for 180 days. Supporting shippers: Musco Olive Products, Inc., Swift and Fifth Street, P.O. Box 368, Orland, Calif. 95963; Van Camp Sea Food Division, Purina Ralston Co., 835 S. Eighth Street, St. Louis, Mo.; Gangi Bros. Packing Co., 725 Matthew Street, Santa Clara, Calif. 95052; Lindsey Olive Growers, 650 West Tulary Road, Lindsey, Calif. 93247; and Stanislaus Food Products, 12th and D Streets, P.O. Box 3951, Modesto, Calif. Send protests to: John E. Nance, Officer-in-Charge, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 N. Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 138411 (sub-No. 1 TA), filed April 5, 1973. Applicant: O. H. BALDRIDGE AND SONS, INC., Highway 161 East, P.O. Box 289, Centralia, Ill. 62801. Applicant's representative: Robert T. Lawley, 300 Relsch Building, Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over

irregular routes, transporting: *Pre-stressed and precast concrete products*, from Centralia, Ill., to points in Indiana, for the account of Nelsen Concrete Products, Inc., Centralia, Ill., for 180 days. Supporting shipper: Nelsen Concrete Products, Inc., Glenridge Industrial Park, P.O. Drawer 743, Centralia, Ill. 62801. Send protests to: Harold C. Joliff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Leland Office Building, 527 East Capitol Avenue, Room 414, Springfield, Ill. 62701.

No. MC 138411 (sub-No. 1 TA), filed April 5, 1973. Applicant: SPRUCE RIVER TRANSPORT, INC., 345 Madeline Street, Thunder Bay, Ontario, Canada. Applicant's representative: F. H. Kroeger, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from ports of entry on the international boundary line between the United States and Ontario, Canada, located in Michigan and Minnesota, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin, restricted to shipments having a prior movement in foreign commerce, for the account of Spruce River Lumber Co., Inc. or Kimberly-Clark of Canada, Limited, for 180 days. Supporting shippers: Spruce River Lumber Co., Inc., Thunder Bay, Ontario, Canada, and Kimberly Clark of Canada, Limited, Terrace Bay, Ontario, Canada. Send protests to: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, 110 S. Fourth Street, Minneapolis, Minn. 55401.

No. MC 138415 (sub-No. 2 TA), filed April 4, 1973. Applicant: TRAILER EXPRESS, INC., P.O. Box 321, Topeka, Ind. 46571. Applicant's representative: Warren C. Moberly, 777 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fold campers*, from the plantsite of Wheelcamper Corp., Centreville, Mich., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Wheelcamper Corporation, 580 West Burr Oak, Centreville, Mich. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, room 204, Fort Wayne, Ind. 46802.

No. MC 138490 TA (Correction), filed March 15, 1973, published in the FEDERAL REGISTER issue of March 30, 1973, and republished as corrected this issue.

Applicant: WEST COAST HAULING CO., P.O. Box 843, Chiefland, Fla. 32626. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, Fla. 32207.

NOTE.—The purpose of this partial republication is to show the correct origin points in part A of the application as Chiefland and Cross City, Fla., in lieu of Chiefland and Criss City, Fla., which was published in error. The rest of the application remains the same.

No. MC 138581 TA, filed April 5, 1973. Applicant: CASTONGUAY TRANSFER,

INC., 7620 Brooklyn Boulevard, Minneapolis, Minn. 55443. Applicant's representative: George P. Castonguay (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by mail order houses and materials and supplies used in connection therewith in the conduct of such business*, between St. Cloud, Minn., and Minneapolis-St. Paul and Inver Grove (in Twin Cities commercial zone), Minn., for 180 days. Supporting shipper: Fingerhut Corp., 11 McLeeland Road, St. Cloud, Minn. 56301. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 138582 TA, filed April 5, 1973. Applicant: ECONOMY GARAGE, INC., 500 Third Avenue, Huntington, W. Va. 25701. Applicant's representative: Peter A. Shehl, 526 Seventh Street, Huntington, W. Va. 25701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes, house trailers, office trailers, and equipment trailers*, in secondary movements, between points in West Virginia on and west of U.S. Highway No. 21, Lawrence County, Ohio, and Boyd County, Ky., on the one hand, and, on the other, points in Ohio and Kentucky, for 180 days. Supporting shippers: (1) Berry's Mobile Homes, Salt Rock, W. Va. (Herman Berry, Sr., owner); (2) C. E. Carey Roofing, 332 West 24th Street, Huntington, W. Va. 25704 (C. E. Carey, Jr.); (3) Phillip Diniaco & Sons, Inc., 310 West 12th Street, Post Office Box No. 583, Huntington, W. Va. 25710 (L. E. Bruce, construction manager); (4) Louis Fonduk, Inc., 6018 U.S. Route 60 East, Post Office Box No. 216, Barboursville, W. Va. 25504 (Darrell L. Fonduk, president); (5) Lincoln Mobile Home Sales, Route 1, Box 20, Hamlin, W. Va. 25523 (C. Joseph Stevens, owner); (6) P & S Trailer Sales, Inc., 6363 U.S. Route 60 East, Barboursville, W. Va. 25504 (George Linn, president, and Michal D. Geer, general manager); (7) Prestige Homes Corp., trade name; Whiz Mobile Homes, 4300 U.S. Route 60 East, Huntington, W. Va. 25705 (Thomas Adkins, vice president); (8) Setzer Homes, 5840 Davis Creek Road, West Va. (Route 10, Barboursville, W. Va. 25504 (Howard Setzer); and (9) Stark Electric, 720 12th Avenue, Post Office Box No. 916, Huntington, W. Va. 25712 (W. R. Stark, owner). Send protests to: H. R. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 3108 Federal Office Building, 500 Quarrier Street, Charleston, W. Va. 25301.

No. MC 138584 TA, filed April 5, 1973. Applicant: JESSIE E. WATSON, 3405 Sandy Circle, Macon, Ga. 31206. Applicant's representative: T. Baldwin Martin, 700 Home Federal Building, Macon, Ga. 31202. Authority sought to operate as a *common carrier*, by

motor vehicle, over irregular routes, transporting: *Agricultural limestone*, in Ford diesel dump trucks, from Marianna, Fla., to points in Seminole, Decatur, Grady, Thomas, Brooks, Lowndes, Lanier, Barrien, Cook, Colquitt, Mitchell, Baker, Miller, Lee, Early, Clay, Calhoun, Dougherty, Worth, Tift, Irwin, Ben Hill, Turner, Wilcox, Crisp, Pulaski, Dooly, Sumter, Schley, Macon, Marion, Webster, Stewark, Quitman, Randolph, Terrell, and Houston Counties, Ga. and Jackson County, Fla., for 180 days. Supporting shipper: C & S Limestone Co., 240 Flint Avenue, P.O. Box 1236, Albany, Ga. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 73-7571 Filed 4-18-73; 8:45 am]

[Notice 256]

#### MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before May 9, 1973. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-74260. By order entered April 4, 1973, the Motor Carrier Board approved the transfer to Metro Distribution Centers, Inc., Los Angeles, Calif., of the operating rights set forth in certificate of registration No. MC-29300 (sub-No. 3), issued March 17, 1964, to Jack O. Murch, doing business as American Transportation Co., Los Angeles, Calif., evidencing a right to engage in operations in interstate or foreign commerce, in the transportation of general commodities, with certain specified exceptions, between points in the Los Angeles basin territory. Donald Murchison, suite 400, 9454 Wilshire Boulevard, Beverly Hills, Calif. 90212.

No. MC-FC-74346. By order of April 11, 1973, the Motor Carrier Board approved the transfer to Greenway Motor Lines, Inc., Greenwood, S.C., of certificates of registration Nos. MC-99074, sub-No. 1



and MC-99074, sub-No. 2, issued February 11, 1964, and February 6, 1973, in the name of Greenwood Motor Lines, Greenwood, S.C., evidencing a right to engage in transportation in interstate commerce corresponding in scope to class E certificate of public convenience and necessity No. 657 dated May 5, 1954, and class E certificate No. 63-C reissued October 4, 1972, by the Public Service Commission of South Carolina. Donald E. Cross, Rea, Cross & Knebel, 918 16th Street NW., suite 700, Washington, D.C. 20006, applicants' attorney.

No. MC-FC-74355. By order of March 30, 1973, the Motor Carrier Board approved the transfer to Trailer Express, Inc., Topeka, Ind., of the operating rights in permit No. MC-134565 issued December 10, 1971, to J. & W. Transport, Inc., Ft. Wayne, Ind., authorizing the transportation of various commodities from and to described points and areas in Illinois, Indiana, West Virginia, and Wisconsin and from Topeka, Ind., to points in the United States except Alaska and Hawaii. Warren C. Moberly, 777 Chamber of Commerce Building, Indianapolis, Ind. 46204, attorney for applicants.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-7573 Filed 4-18-73;8:45 am]

[Notice 30]

# **MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS**

APRIL 13, 1973.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by special rule 1100.247<sup>2</sup> of the Commission's general rules of practice (49 CFR as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which pro-

testant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

No. MC 151 (sub-No. 49), filed January 11, 1973. Applicant: LOVELACE TRUCK SERVICE, INC., 2225 Wabash Avenue, Terre Haute, Ind. 47807. Applicant's representative: James R. Madler, room 1608, 1255 North Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between junction Illinois Highways 1 and 33 and Paducah, Ky.: From junction Illinois Highway 1 and Illinois Highway 33 over Illinois Highway 1 to junction U.S. Highway 45, thence over U.S. Highway 45 to Paducah, and return over the same routes, serving all intermediate points and the off-route point of Calvert City, Ky.; (2) Between Olney, Ill., and Vincennes, Ind.: From Olney over U.S. Highway 50 to Vincennes, and return over the same route, serving all intermediate points and the off-route point of West Salem, Ill.; (3) Between Mount Vernon, Ill., and Mount Carmel, Ill.: From Mount Vernon over Illinois High-

way 15 to Mount Carmel, and return over the same route, serving all intermediate points; (4) Between Mount Vernon, Ill., and Carmi, Ill.: From Mount Vernon over U.S. Highway 460 to Carmi, and return over the same route, serving all intermediate points; (5) Between Mount Vernon, Ill., and Cairo, Ill.: From Mount Vernon over Illinois Highway 37 to Cairo, and return over the same route, serving all intermediate points and the off-route points of Anna, Elco, and Tamms, Ill., Cape Girardeau and Sikeson, Mo., and Wickliffe, Ky.; (6) Between Mount Vernon, Ill., and Pulleys Mill, Ill.: From Mount Vernon over Illinois Highway 148 to junction Illinois Highway 37, thence over Illinois Highway 37 to Pulleys Mill, and return over the same routes; (7) Between junction U.S. Highway 460 and Illinois Highway 13 and Harrisburg, Ill.: From junction U.S. Highway 460 and Illinois Highway 13 over Illinois Highway 13 to Harrisburg, and return over the same route, serving all intermediate points and the off-route points of Chester, DuQuoin, Sparta, and Steeleville, Ill.;

(8) Between junction Illinois Highways 13 and 152 and Benton, Ill.: From junction Illinois Highway 13 and Illinois Highway 152 over Illinois Highway 152 to junction U.S. Highway 51, thence over U.S. Highway 51 to junction Illinois Highway 14, thence over Illinois Highway 14 to Benton and return over the same routes, serving all intermediate points; (9) between Olney, Ill., and Grayville, Ill.: From Olney over Illinois Highway 130 to Grayville, and return over the same route, serving all intermediate points; (10) between Flora, Ill., and Norris City, Ill.: From Flora over U.S. Highway 50 to junction U.S. Highway 45, thence over U.S. Highway 45 to Norris City, and return over the same routes, serving all intermediate points; (11) between Sandoval, Ill., and Carbondale, Ill.: From Sandoval over U.S. Highway 51 to Carbondale, and return over the same route, serving all intermediate points; (12) between Carbondale, Ill., and Vienna, Ill.: From Carbondale over U.S. Highway 51 to junction Illinois Highway 146, thence over Illinois Highway 146 to Vienna, and return over the same routes, as an alternate route for operating convenience only, serving no intermediate points except as otherwise authorized; and (13) those points in Illinois located on and south of U.S. Highway 50 and the facilities of Central Illinois Public Service Co. near Bogota, Ill. will be served as off-route points in connection with the above-described regular routes and carrier's presently authorized regular routes.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill. or St. Louis, Mo.

No. MC 531 (sub-No. 286), filed March 9, 1973, Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, P.O. Box 104048. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate

<sup>2</sup> Copies of special rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, and lubricating oil additives*, in bulk, in tank vehicles, from Good Hope and Oak Point, La., to points in California, Oregon, and Washington.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or New Orleans, La.

No. MC 2202 (sub-No. 442), filed March 5, 1973. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William Slabaugh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite and facilities of Ford Motor Co., at or near Romeo, Macomb County, Mich., as an off-route point in connection with applicant's regular route authority in Michigan.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., Chicago, Ill., or Washington, D.C.

No. MC 2900 (sub-No. 235), filed March 7, 1973. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, P.O. Box 2408, Jacksonville, Fla. 32203. Applicant's representative: John Carter (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and fittings and materials* useful in the installation thereof, from Colfax, N.C., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, West Virginia, Arkansas, Texas, and the District of Columbia.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C., or Atlanta, Ga.

No. MC 2900 (sub-No. 236), filed March 7, 1973. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, P.O. Box 2408, Jacksonville, Fla. 32203. Applicant's representative: John Carter (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, fittings and*

*related materials* useful in the installation thereof; from Malvern, Ark., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 3151 (sub-No. 19), filed March 5, 1973. Applicant: BENDER & LOUDON MOTOR FREIGHT, INC., 3024 Brecksville Road, Richfield, Ohio 44286. Applicant's representative: Robert D. Schuler, 1 Woodward Avenue, Suite 1700, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving the plantsite and facilities of Ford Motor Co. at Romeo (Macomb County), Mich., as an off-route point in connection with carrier's otherwise authorized regular route operations to and from Detroit, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 4687 (sub-No. 13), filed February 26, 1973. Applicant: BURGESS & COOK, INC., P.O. Box 458, Fernandina Beach, Fla. 32034. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products* from points in Sumter County, Fla., to points in Alabama, Florida, Georgia, and South Carolina, and (2) *materials and supplies* used in the manufacturing of paper and paper products, from points in Alabama, Florida, Georgia, and South Carolina to points in Sumter County, Fla.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 6078 (sub-No. 73), filed March 1, 1973. Applicant: D. F. BAST, INC., 1425 North Maxwell Street, P.O. Box 2288, Allentown, Pa. 18001. Applicant's representative: Donald L. Proffit (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, conduit, ducts, and tubes and related fittings, attachments, materials, and accessories* used in the installation thereof, from Nazareth, Pa., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missis-

issippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 7840 (sub-No. 4), filed February 20, 1973. Applicant: ST. LAWRENCE FREIGHTWAYS, INCORPORATED, 650 Cooper Street, Watertown, N.Y. 13601. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Lewis, Jefferson, and St. Lawrence Counties, N.Y., on the one hand, and, on the other, points in New York, Pennsylvania, Massachusetts, New Hampshire, New Jersey, and Vermont.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y.

No. MC 9269 (sub-No. 17), filed February 20, 1973. Applicant: BEST WAY MOTOR FREIGHT, INC., 1765 Sixth Avenue South, Seattle, Wash. 98134. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), in a circuitous route from and to Moses Lake, Wash.: (1) From Moses Lake over Washington Highway 17 to Soap Lake, Wash., thence over Washington Highway 28 to Quincy, Wash., thence over Washington Highway 281 to George, thence over Interstate Highway 90 to Moses Lake, and return over the same route, serving all intermediate points and the off-route point of Galena, Wash., and serving George, Wash., for purposes of joinder only in connection with carrier's authorized regular-route operations; and (2) from junction Washington Highways 17 and 282 over Washington Highway 282 to junction Washington Highway 28 at Ephrata, Wash., as an alternate route in connection with (1) above.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Spokane or Seattle, Wash.

No. MC 13250 (sub-No. 121), filed March 22, 1973. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, P.O. Box 16190, Houston, Tex. 77022. Applicant's representative: James M. Doherty, suite 401, First National Life Building, Austin, Tex. 78701. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mining equipment and construction equipment, and attachments and parts of mining equipment and construction equipment*, between Salt Lake City and Monticello, Utah, Lebanon, Mo., and Rock, Mich., on the one hand, and, on the other, points in the United States (excluding Hawaii, but including Alaska).

NOTE.—Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 15945 (sub-No. 11), filed March 8, 1973. Applicant: BRINGWALD TRANSFER, INC., 2820 Decker Road, Vincennes, Ind. 47591. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment), between the plantsite of Anaconda Aluminum Co. located at or near Sebree, Ky., on the one hand, and, on the other, points in Illinois, Indiana, and Ohio, and St. Louis, Mo. Restriction: Restricted to traffic originating at or destined to the named plantsite.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 17002 (sub-No. 46), filed February 20, 1973. Applicant: CASE DRIVE-WAY, INC., 100 22d Street, Huntington, W. Va. 25714. Applicant's representative: John M. Friedman, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from the plantsite of the H. K. Porter Co., at Huntington, W. Va., to points in the United States including Alaska (but excluding Hawaii).

NOTE.—Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va., or Columbus, Ohio.

No. MC 19227 (sub-No. 186), filed March 7, 1973. Applicant: LEONARD BROS. TRUCKING CO., INC., 2595 Northwest 20th Street, Miami, Fla. 33152. Applicant's representative: J. F. Dewhurst (same address as applicant). Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Signs, sign parts, attachments, accessories, and equipment* used in connection with or installation thereof, between points in Maryland, Pennsylvania, Delaware, Rhode Island, New York, New Jersey, Connecticut, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Washington, D.C.

No. MC 21455 (sub-No. 31), filed March 12, 1973. Applicant: GENE MITCHELL CO., a corporation, West Liberty, Iowa 52776. Applicant's representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy flour and soy protein* (except soybean meal and commodities in bulk), from points in Illinois, Indiana, Iowa, and Minnesota to points in and east of Wisconsin, Illinois, Kentucky, Tennessee, and Mississippi.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 29079 (sub-No. 69), filed March 19, 1973. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 Union Street, P.O. Box 395, Kokomo, Ind. 46901. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and liquid commodities in bulk), serving the plantsite and facilities of Ford Motor Co., at Romeo (Macomb County), Mich., as an off-route point in connection with applicant's regular-route operations to and from Detroit, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Detroit, Mich.

No. MC 35358 (sub-No. 30), filed March 2, 1973. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 Macalaster Drive NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture and fixtures*, from Laramie, Wyo., to points in

the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority can be tacked with its existing authority under MC 35358 subs 20 and 25 and serve points in the United States but indicates it has no intention to tack. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 35358 (sub-No. 31), filed March 2, 1973. Applicant: BERGER TRANSFER & STORAGE, INC., 3720 Macalaster Drive NE., Minneapolis, Minn. 55421. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture and fixtures* from Sanford, N.C., to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary. Line between the United States and Canada, and points in Minnesota and Louisiana.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority under MC 35358 (sub-No. 20) at Minnesota to points in the United States; at Illinois with pending sub-No. 29; or to Midwest over Chicago with sub-No. 14. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 35628 (sub-No. 346), filed March 12, 1973. Applicant: INTER-STATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville SW., Grand Rapids, Mich. 49502. Applicant's representative: Edward Malinzak, 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides and commodities in bulk), from the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., to points in Minnesota, Michigan, Indiana, Ohio, Pennsylvania, Kansas, Kentucky, Missouri, Oklahoma, and Illinois, restricted to traffic originating at the named origin and destined to the named States; and (2) *meat, meat products, meat byproducts, foodstuffs, canning plant materials, and equipment and supplies* (except hides and commodities in bulk), from points in Minnesota, Michigan, Indiana, Ohio, Pennsylvania, Kansas, Kentucky, Missouri, Oklahoma, and Illinois, to the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., restricted to traffic originating at the named origins and destined to the named destination.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn., or Chicago, Ill.

No. MC 35628 (sub-No. 345), filed February 26, 1973. Applicant: INTER-STATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville SW., Grand Rapids, Mich. 49502. Applicant's representative: Edward Malinzak, 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from the plantsite and warehouse facilities of Campbell Soup Co. at or near Omaha, Nebr., to points in Indiana.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 35807 (sub-No. 32), filed March 5, 1973. Applicant: WELLS FARGO ARMORED SERVICE CORP., P.O. Box 4313, Atlanta, Ga. 30302. Applicant's representative: Harry J. Jordon, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin, currency, and securities*, between New Orleans, La., on the one hand, and, on the other, points in Stone, George, Perry, Kemper, Neshoba, Sharkey, Issaquena, Jefferson Davis, Wilkinson, Amite, Walthall, Copiah, Simpson, Lawrence, Jefferson, Covington, Jasper, Claiborne, Smith, Wayne, Greene, Clarke, Marion, Jackson, Harrison, Hancock, Pearl River, Lamar, Forrest, Jones, Lauderdale, Newtown, Scott, Leake, Madison, Yazoo, Rankin, Hinds, Warren, Adams, Franklin, Lincoln, and Pike Counties, Miss.; points in Mobile and Baldwin Counties, Ala., and those points on and west of Alabama Highway 21 in Escambia County, Ala., under contract with banks and banking institutions.

NOTE.—Common control may be involved. Applicant seeks no duplicating authority.

No. MC 39568 (sub-No. 12), filed March 13, 1973. Applicant: ARROW TRANSFER & STORAGE CO., a corporation, 1124 Market Street, Chattanooga, Tenn. 37401. Applicant's representative: Walter Harwood, 1822 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rubber mounted cranes and power shovels*, in driveway service, *booms and parts* for said cranes and power shovels, between Chattanooga, Tenn., and points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chattanooga or Nashville, Tenn.

No. MC 41432 (sub-No. 131), filed March 12, 1973. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, P.O. Box 10125, Dallas, Tex. 75207. Applicant's representative: W. P. Furth (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over

regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the plantsite and warehouse facilities of the Firestone Tire & Rubber Co., located at or near Salinas, Calif., as an off-route point in connection with applicant's regular route authority to and from San Jose, Calif.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 42266 (sub-No. 2), filed March 9, 1973. Applicant: LANCASTER & NEW YORK MOTOR FREIGHT SERVICE, INC., Rural Delivery No. 2, Box 208, Elizabethtown, Pa. 17022. Applicant's representative: S. Berne Smith, 100 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cocoa beans, cocoa butter, cocoa press cake, chocolate liquor in blocks, and cocoa crumb in bags*, from Philadelphia, Pa., to Hershey, Pa.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 42537 (sub-No. 47), filed March 5, 1973. Applicant: CASSENS TRANSPORT CO., P.O. Box 468, Edwardsville, Ill. 62025. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Motor vehicles*, in secondary movements, in truckaway service, from Venice, Ill., to points in Missouri, Tennessee, and Kentucky.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 47791 (sub-No. 5) (amendment), filed January 8, 1973, published in the FEDERAL REGISTER issue of February 23, 1973, and republished in part, as amended this issue. Applicant: HAMILTON TRUCKING CO., INC., 106 Carpenter Street, Blossburg, Pa. 16912. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517.

NOTE.—The purpose of this partial republication is to reflect that upon reconsideration of the authority requested, applicant states that the requested authority can be tacked with its existing authority in Potter County, Pa., but that it has no intention to tack. The original publication indicated the authorities could not be tacked. The rest of the notice remains as previously published.

No. MC 50069 (sub-No. 460), filed March 19, 1973. Applicant: REFINERS TRANSPORT & TERMINAL CORP., 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petrochemicals, in bulk, in tank vehicles), from Reno and Rouseville, Pa., to points in New Jersey and New York.

NOTE.—Common control and dual operations may be involved. Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 56270 (sub-No. 16), filed March 1, 1973. Applicant: LEICHT TRANSFER & STORAGE CO., 1401 State Street, Green Bay, Wis. 54304. Applicant's representative: John L. Bruemmer, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from Green Bay, Wis., to points in Marquette, Menominee, and Dickinson Counties, Mich.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Milwaukee or Madison, Wis.

No. MC 59367 (sub-No. 87), filed March 2, 1973. Applicant: DECKER TRUCK LINE, INC., P.O. Box 915, Fort Dodge, Iowa 50501. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides and commodities in bulk), from the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, and South Dakota, and (2) *meat, meat products, and meat byproducts, foodstuffs, and materials, equipment, and supplies used by canning plants* (except hides and commodities in bulk), from points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, and South Dakota to the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., restricted in parts (1) and (2) above to traffic originating at the named origins and destined to the named destinations.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 59396 (sub-No. 22), filed March 5, 1973. Applicant: BUILDERS EXPRESS, INC., Rural Delivery — Lafayette, N.J. 07848. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone and limestone products*, in bulk, from Perth Amboy, N.J., to points in Maryland, Delaware, New Jersey, New York, Pennsylvania, Connecticut, Massachusetts, and Rhode Island.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 64932 (sub-No. 510), filed March 19, 1973. Applicant: ROGERS CARTAGE CO., a corporation, 10735 South Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Jacksonville, Ark., to points in Alabama, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Texas.

**NOTE.**—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 69116 (sub-No. 153), filed March 2, 1973. Applicant: SPECTOR FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill. 60606. Applicant's representative: Leonard R. Kofkin, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard wallboard*, from the plantsite of the Celotex Corp. at Dubuque, Iowa, to points in Ohio, Kentucky, West Virginia, Virginia, Pennsylvania, Maryland, Delaware, New Jersey, and New York, restricted to the transportation of traffic originating at the named plantsite and destined to the named States.

**NOTE.**—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 72420 (sub-No. 9), filed March 15, 1973. Applicant: THE ACE MOTOR TRANSPORT CO., a corporation, 3103 Tiffin Avenue, Sandusky, Ohio 44870. Applicant's representative: Martin J. Leavitt, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite and facilities of the Ford Motor Co., at Romeo (Macomb County), Mich., as an off-route point in connection with carrier's regular route operations to and from Detroit, Mich.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., Chicago, Ill., or Washington, D.C.

No. MC 72442 (sub-No. 41), filed March 5, 1973. Applicant: AKERS MOTOR LINES, INC., P.O. Box 10303, Charlotte, N.C. 28201. Applicant's representative: Leonard Jaskiewicz, 1730 M Street NW, suite 501, Washington, D.C. 20036. Authority sought to operate as a

*common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, articles of unusual value, classes A and B explosives, commodities requiring special equipment, and commodities in bulk), between McRae, Ga., and Orangeburg, S.C.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at either Atlanta, Ga., Columbia, S.C., or Washington, D.C.

No. MC 74321 (sub-No. 74), filed March 8, 1973. Applicant: B. F. WALKER, INC., 650 17th Street, Denver, Colo. 80202. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated pipe and pressure vessels*, from the plantsite of East Texas Fabricators, Inc., at or near Woodlawn, Tex., to points in the United States (except Alaska and Hawaii).

**NOTE.**—Applicant states that the authority here sought can be joined with applicant's "intended use" authorities (mercer description, sulfur industry description, sulfur industry commodities, water-well-distilled commodities), and its "size and weight" authority when such shipments are moving as (1) prefabricated pipe and pressure vessels, and (2) for the particular intended use authorized, or as a "size and weight" shipment. Such joinder would take place at the plantsite of East Texas Fabricators, Inc., at or near Woodlawn, Tex. At the filing of this application, applicant has no intention to tack. Applicant further states that it seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Dallas or Longview, Tex.

No. MC 74321 (sub-No. 75), filed March 8, 1973. Applicant: B. F. WALKER, INC., 650 17 Street, Denver, Colo. 80202. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air pollution control equipment*, from the plantsite of Roy W. Green Co., at Longview, Tex., to points in the United States (except Alaska and Hawaii).

**NOTE.**—Applicant states that the requested authority can be tacked with its existing authority under its sub 34 and sub 10 certificates but indicates that it has no present intention to tack. However, tacking would allow applicant to originate from points in Louisiana, Texas, New Mexico, Oklahoma, Kansas, Colorado, or Nebraska to the plantsite of Roy W. Green Co., Longview, Tex., to points in the United States (except Alaska and Hawaii); from points in Arizona, Arkansas, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, Wyoming, and an eight county area in southern California, move came to the subject plantsite and then on to destination at any point in the United States; and from a point in Texas, Louisiana, Oklahoma, New Mexico, Kansas, or Wyoming for movement to the plantsite and then on to destination at any point in the United States.

Applicant further states no duplicating authority sought by this application. If a hearing is deemed necessary, applicant requests it be held at Dallas or Longview, Tex.

No. MC 74321 (sub-No. 76), filed March 8, 1973. Applicant: B. F. WALKER, INC., 650 17th Street, Denver, Colo. 80202. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel*, in plates or sheets, or coils, from Friedman Industries, Inc., plantsite at or near Lone Star, Tex., to points in Arkansas, Mississippi, Alabama, and Tennessee.

**NOTE.**—Applicant states it has no present intention to tack the authority sought herein with that it presently holds under MC 74321 (sub-Nos. 34, 37, and 38), and that such joinder would require that it originate a shipment on its present authority and tack at the plantsite of Friedman Industries, Inc., in or near Lone Star, Tex., for movement to destination, Arkansas, Mississippi, Alabama or Tennessee. Applicant further states it actually seeks no duplicating authority by the filing of the subject application and will request that any authority granted not be construed as having more than one operating right to the extent that such authority duplicates any other authority held or granted to applicant. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Dallas, Tex.

No. MC 74942 (Sub-No. 4), filed March 5, 1973. Applicant: PARVIN'S TRANSFER, INC., 15 East Harmony Street, Penns Grove, N.J. 08069. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tomato products, canned or preserved*, from points in Salem and Gloucester Counties, N.J., to points in Delaware, those points in Maryland on and east of Interstate Highway 81, those points in Virginia on and east of Interstate Highway 95, those points in Pennsylvania on and east of U.S. Highway 220, those points in New York on and south of Interstate Highway 84, and the District of Columbia, under contract with H. J. Heinz Co.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or New York, N.Y.

No. MC 76177 (sub-No. 328), filed March 9, 1973. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham, Ala. 35233. Applicant's representative: Harold G. Hernly, Jr., 118 North St. Asaph Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those which because of size or weight require the use of special equipment), between Birmingham, Ala., and Columbus, Ga., from Birmingham, Ala., over U.S. Highway 280 to Columbus, Ga., and return over the same route, as an alternate route for operating



convenience only, in connection with applicant's regular-route operations, serving no intermediate points.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 82841 (sub-No. 111), filed March 9, 1973. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm implements not self-propelled, chisel plows, cultivators, wagons, choppers, mills, and parts, accessories, and attachments* therefor, from the plantsite and warehouses of Koehring Farm Division, Brady Operation, located in Polk County, Iowa, to points in North Dakota, South Dakota, Minnesota, Wisconsin, Nebraska, Kansas, Colorado, Washington, Illinois, Indiana, Missouri, Ohio, Pennsylvania, Michigan, and New York.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 82841 (sub-No. 112), filed March 9, 1973. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefinished plywood paneling*, from Vancouver, Wash., to points in Colorado, Nebraska, Kansas, and Oklahoma.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 82841 (sub-No. 113), filed March 12, 1973. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and equipment* used in the manufacture of concrete pumps, conveyors, scaffolding, and accessories, from points in Indiana, Illinois, Wisconsin, Ohio, and Missouri, to Yankton, S. Dak.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 83539 (sub-No. 364), filed March 1, 1973. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Thomas E. James (same address as

applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, conduit, ducts, and tubes and related fittings, attachments, materials, and accessories* used in the installation thereof, from Nazareth, Pa., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83835 (sub-No. 102), filed February 27, 1973. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard*, from the plantsites of Brooks-Williamette Corp. at Bend, Ore., and Durafake Co. at Millersburg, Ore., to points in the United States (excluding Hawaii and California, but including Alaska).

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Dallas, Tex.

No. MC 83835 (sub-No. 103), filed March 6, 1973. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Natural asphalt, and asphalt-asphaltum* (except in bulk), from the mine sites of Zeigler Chemical Co., located at or near Bonanza, Utah, to points in the United States (excluding Hawaii, but including Alaska).

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 85465 (sub-No. 55), filed March 2, 1973. Applicant: WEST NEBRASKA EXPRESS, INC., P.O. Box 952, Scottsbluff, Nebr. 69361. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Food-*

*stuffs* (except hides or commodities in bulk) from the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co. located at or near Beloit, Wis., to points in Colorado, Nevada, Wyoming, Kansas, Missouri, North Dakota, South Dakota, Iowa, Minnesota, Oklahoma, and Nebraska, restricted to traffic originating at the named origin and destined to the named States; and (2) *meat, meat products, meat byproducts, foodstuffs, canning plant materials, equipment and supplies* (except hides or commodities in bulk) from points in Kansas, Missouri, North Dakota, South Dakota, Iowa, Minnesota, Oklahoma, and Nebraska to the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co. located at or near Beloit, Wis., restricted to traffic originating at the named origins and destined to the named destination.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 87720 (sub-No. 138), filed March 5, 1973. Applicant: BASS TRANSPORTATION CO., INC., P.O. Box 391, Flemington, N.J. 08822. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), *advertising matter, display racks and premiums*, when moving in the same vehicle at the same time, from Milton, Pa., to points in North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, under contract with American Home Products Corp.

NOTE.—Applicant also holds temporary common carrier authority under MC 136684 (sub-No. 2 TA), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 94265 (sub-No. 240), filed March 12, 1973. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 305, Windsor, Va. 22487. Applicant's representative: Harry G. Buckwalter (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Wellston, Ohio, to points in Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Maryland, Delaware, Virginia, West Virginia, Vermont, Pennsylvania, Indiana, Illinois, Missouri, Iowa, and the District of Columbia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Memphis, Tenn.

No. MC 95540 (sub-No. 865), filed February 26, 1973. Applicant: WATKINS MOTOR LINES, INC., 1940 Monroe Drive, NE, P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Foodstuffs, canned or preserved* (except frozen foods), from Austin, Ind., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 97699 (sub-No. 35), filed March 8, 1973. Applicant: BARBER TRANSPORTATION CO., a corporation, Deadwood Avenue, Rapid City, S. Dak. 57701. Applicant's representative: Leslie R. Kehl, suite 1600, Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Rapid City, S. Dak., and Cheyenne, Wyo.: From Rapid City over U.S. Highway 16 to Newcastle, Wyo., thence southward over U.S. Highway 85 to junction Interstate Highway 25, thence southward over Interstate Highway 25 to Cheyenne, and return over the same route, serving all intermediate points; (2) between Lusk and Casper, Wyo.: From Lusk westward over U.S. Highway 20 to junction Interstate Highway 25, thence over Interstate Highway 25 to Casper, and return over the same route, serving all intermediate points; (3) between Rapid City, S. Dak., and Sheridan, Wyo.: From Rapid City over U.S. Highway 14 and Interstate Highway 90 to Sundance, Wyo., thence westward over Interstate Highway 90 to junction U.S. Highway 14 near Moorcroft, Interstate Highway 90 near Gillette, thence over Interstate Highway 90 to Sheridan, and return over the same route, serving all intermediate points; (4) between Newcastle and Moorcroft, Wyo.: From Newcastle over U.S. Highway 16 to Moorcroft, and return over the same route, serving all intermediate points; (5) between Rapid City, S. Dak., and junction U.S. Highways 18 and 85 at Mule Creek Junction, Wyo.: From Rapid City southward over South Dakota Highway 79 to junction U.S. Highway 18, thence over U.S. Highway 18 to junction U.S. Highway 85, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points; and (6) between Rapid City, S. Dak., and Lusk, Wyo.: From Rapid City over South Dakota Highway 79 to junction U.S. Highway 385, thence southward over U.S. Highway 385 to junction U.S. Highway 20, thence westward over U.S. Highway 20 to Lusk, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points.

NOTE.—If a hearing is deemed necessary, applicant requests multiple hearing locations at Rapid City, S. Dak., and Sheridan, Casper, and Cheyenne, Wyo.

No. MC 100666 (sub-No. 236), filed March 1, 1973. Applicant: MELTON

TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 3535 Northwest 58th, 280 National Foundation Life Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and fittings*, from the plantsite of Kyle-Gifford-Hill, Inc., located at or near Newberry, Fla., to points in Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

NOTE.—Applicant states that its requested authority could be tacked at Fort Smith, Ark., with its sub 153 which authorizes the transportation of plastic pipe, from Fort Smith, Ark., to points in the United States (except Alaska and Hawaii). If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 100666 (sub-No. 237), filed March 1, 1973. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Building, 3535 Northwest 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing, roofing materials, and siding*, from Shreveport, La., to points in Iowa.

NOTE.—Applicant states that the requested authority could be tacked with its existing authority in sub-No. 1 at Shreveport, La., and transport composition or prepared roofing, including composition shingles or asbestos siding, from points in Louisiana to points in Iowa. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 100666 (sub-No. 238), filed March 15, 1973. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul Caplinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduit and pipe*, except iron and steel, and *accessories, parts, fittings and attachments* therefor, from Rootstown Township (Portage County), Ohio, to points in Alabama, Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas.

NOTE.—Applicant states that it presently holds authority under its sub 153 to transport plastic pipe from Fort Smith, Ark., to points in the United States (except Alaska and Hawaii), and that to the extent plastic pipe is involved, applicant could tack at Fort Smith, Ark., and serve points in the United States where feasible. If a hearing is deemed necessary, applicant requests it be held at (1) Columbus, Ohio, or (2) Cleveland, Ohio.

No. MC 101186 (sub-No. 13), filed February 28, 1973. Applicant: ARLEDGE TRANSFER, INC., P.O. Box 157, Burlington, Iowa 52601. Applicant's representative: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodi-*

*ties* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Quincy, Ill., and Des Moines, Iowa, from Quincy over U.S. Highway 24 to junction U.S. Highway 61, thence over U.S. Highway 61 to junction Highway 218 to junction U.S. Highway 34, thence over U.S. Highway 34 to junction U.S. Highway 63 thence over U.S. Highway 63 to junction Iowa Highway 163, thence over Iowa Highway 163 to Des Moines, and return over the same route, serving all intermediate points and West Point, Iowa, as an off-route point.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Des Moines or Burlington, Iowa.

No. MC 103498 (sub-No. 31), filed March 19, 1973. Applicant: W. D. SMITH TRUCK LINE, INC., P.O. Drawer C, De Queen, Ark. 71832. Applicant's representative: Donald T. Jack, Jr., 1550 Tower Building, Little Rock, Ark. 72201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper boxes* (milk cartons) other than corrugated, knocked down, flat or folded flat, from the plantsite of Georgia-Pacific Corp. at or near Crossett, Ark., to Ponca City and Ardmore, Okla., Clovis, N. Mex., Edinburg and Victoria, Tex., and Holland, Ind.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 103993 (sub-No. 761), filed March 12, 1973. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Lincoln County, S. Dak., to points in the United States (except Hawaii).

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 103993 (sub-No. 763), filed March 1, 1973. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal siding, spouting, and gutters, and steel roofing, flooring, doors, windows, beams, channels, and lath*, used in the construction, repair, erection or completion of buildings, and of accessories for the commodities described, from points in Milwaukee County, Wis., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 105045 (sub-No. 40), filed March 6, 1973. Applicant: R. L. JEFFRIES TRUCKING CO., INC., P.O. Box 3277, Evansville, Ind. 47701. Applicant's representative: Paul F. Sullivan, 711 Washington Building, 15th and New York Avenue NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum, and aluminum products, and zinc, and zinc products* from the plantsites and facilities of Apex Smelting Co., Inc., in Chicago, Ill., to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, Tennessee, and Wisconsin; and (2) *equipment, materials, and supplies* used in the manufacture of the commodities named in (1) above from points in the destination States named above to the described plantsites and facilities in Chicago, Ill.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack, and therefore does not identify the points or territories which can be served through tacking. Person interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 107064 (sub-No. 93), filed March 19, 1973. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, 2808 Fairmount Street, Dallas, Tex. 75221. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from points in Catron County, N. Mex., to points in Arizona, Colorado, Utah, Texas, Oklahoma, Kansas, and New Mexico.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 107295 (sub-No. 639), filed March 6, 1973. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass*, from Lewisburg, Ohio, to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Chicago, Ill.

No. MC 107295 (sub-No. 640), filed March 6, 1973. Applicant: PRE-FAB

TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal panels, insulated metal panels, building parts, and accessories* used in the installation thereof, from Rankin, Pa., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 107460 (sub-No. 43), filed March 7, 1973. Applicant: WILLIAM Z. GETZ, INC., 3055 Yellow Goose Road, Lancaster, Pa. 17601. Applicant's representative: Donald D. Shipley (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum plate or sheet*, from the plantsite of Howmet Corp. located at or near Lancaster, Pa., to ports of entry on the international boundary line between the United States and Canada located in New York and Michigan, restricted to the transportation of traffic in foreign commerce only, under contract with Howmet Corp.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC 107515 (sub-No. 844), filed March 19, 1973. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Paul M. Daniel, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* in packages, in vehicles equipped with mechanical refrigeration, from the plantsite and warehouse facilities of Technicon Instruments Corp. at Atlanta, Ga., to points in Mississippi, and the District of Columbia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 107678 (sub-No. 48), filed March 5, 1973. Applicant: HILL & HILL TRUCK LINE, INC., 1492 Talcott, Houston, Tex. 77015. Applicant's representative: Jay W. Elston, 800 Bank of the Southwest Building, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite clay; foundry molding sand treating compounds; foundation water impedance boards; and lignite coal*, treated and untreated, from the plantsites of American Colloid Co. at or near Gascoyne, N. Dak., Belle Fourche, S. Dak., and Upton and Lovell, Wyo., to points in Arkansas, Colorado, Louisiana, New Mexico, Oklahoma, and Texas.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Skokie, Ill., or Houston, Tex.

No. MC 107983 (sub-No. 17), filed March 5, 1973. Applicant: COLD-WAX EXPRESS, INC., P.O. Box 26, Morton, Ill. 61550. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill. 60641. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Gravity flow boxes, running gear, and related parts*, from Des Moines, Iowa, on the one hand, and, on the other, to points in Alabama, Arizona, Arkansas, California, Colorado, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, New York, Nevada, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming, under contract with Edko Manufacturing, Inc.; and (2) *grain dryers and related parts*, in towaway service, from Gibson City, Ill., on the one hand, and, on the other, to points in Alabama, Arkansas, Georgia, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, under contract with M & W Gear Co. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108053 (sub-No. 121), filed March 5, 1973. Applicant: LITTLE AUDREY'S TRANSPORTATION CO., INC., P.O. Box 129, Fremont, Nebr. 68025. Applicant's representative: Arnold L. Burke, 127 North Dearborn, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides or commodities in bulk), from the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co., at or near Beloit, Wis., to points in Arizona, California, Utah, Nevada, Washington, Oregon, Idaho, Colorado, Montana, and Minnesota, restricted to traffic originating at named origin and destined to named States, and (2) *meat, meat products, meat by-products, foodstuffs, canning plant materials, equipment, and supplies* (except hides or commodities in bulk), from points in California, Washington, Minnesota, Oregon, Idaho, and Montana to the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co., at or near Beloit, Wis., restricted to traffic originating at named origins and destined to named destination.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 108382 (sub-No. 18), filed March 5, 1973. Applicant: SHORT



**FREIGHT LINES, INC.**, 459 South River Road, Bay City, Mich. 48706. Applicant's representative: Robert D. Schuler, 1 Woodward Avenue, suite 1700, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the plantsite and facilities of Ford Motor Co. at Romeo, Mich. (Macomb County), as an off-route point in connection with carrier's otherwise authorized regular route operations to and from Detroit, Mich.

**NOTE.**—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 108937 (sub-No. 37), filed March 9, 1973. Applicant: **MURPHY MOTOR FREIGHT LINES, INC.**, 2323 Terminal Road, St. Paul, Minn. 55113. Applicant's representative: R. L. Stevens (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the site and facilities of the Ford Motor Co. plant at Romeo (Macomb County), Mich., as an off-route point in connection with applicant's regular-route operations to and from Detroit, Mich.

**NOTE.**—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., Chicago, Ill., or Washington, D.C.

No. MC 110098 (sub-No. 134), filed February 28, 1973. Applicant: **ZERO REFRIGERATED LINES**, a corporation, 1400 Ackerman Road, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: (1) *Foodstuffs* (except hides and commodities in bulk), from the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., to points in New Mexico, Oklahoma, Texas, Arkansas, Louisiana, Kansas, and Missouri, restricted to traffic originating at the name origin and destined to the named States; and (2) *meat, meat products, meat byproducts, foodstuffs, canning plant materials, and equipment and supplies* (except hides and commodities in bulk), from points in Oklahoma, Texas, Arkansas, Louisiana, Kansas, and Missouri, to the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., restricted to traffic originating at the named origins and destined to the named destination.

**NOTE.**—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed

necessary, applicant requests it be held at St. Paul, Minn., or Des Moines, Iowa.

No. MC 110683 (sub-No. 92), filed March 7, 1973. Applicant: **SMITH'S TRANSFER CORPORATION**, P.O. Box 1000, Staunton, Va. 24401. Applicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment) serving the plantsite and facilities of Ford Motor Co., located at or near Romeo (Macomb County), Mich., as an off-route point in connection with applicant's presently authorized operations to and from Detroit, Mich.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at either Detroit, Mich.; Chicago, Ill.; or Washington, D.C.

No. MC 111068 (sub-No. 5), filed February 26, 1973. Applicant: **KEN-NETH GROTH**, an individual, Decorah, Iowa 52101. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Hygrade Food Products Co., at or near Postville, Iowa, to points in Illinois and Wisconsin, restricted to the transportation of traffic originating at the named plantsite and storage facilities and destined to the named destinations.

**NOTE.**—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Detroit, Mich.

No. MC 111812 (sub-No. 486), filed March 7, 1973. Applicant: **MIDWEST COAST TRANSPORT, INC.**, 900 West Delaware, P.O. Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Ralph H. Jinks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides or commodities in bulk), from the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co., at or near Beloit, Wis., to points in Indiana, Ohio, Kentucky, South Dakota, Minnesota, Iowa, North Dakota, Nebraska, Idaho, Montana, Oregon, Washington, California, Nevada, and Utah over irregular routes, restricted to traffic originating at named origin and destined to named States; and (2) *meat, meat products, meat byproducts, foodstuffs, canning plant materials, equipment and supplies* (except hides or com-

modities in bulk), from points in Indiana, Ohio, South Dakota, Minnesota, Iowa, North Dakota, Nebraska, Idaho, Montana, Oregon, Washington, and California to the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co., at or near Beloit, Wis., over irregular routes, restricted to traffic originating at named origins and destined to named destination.

**NOTE.**—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 112014 (sub-No. 21), filed February 28, 1973. Applicant: **SKAGIT VALLEY TRUCKING CO., INC.**, P.O. Box 400, Mount Vernon, Wash. 98273. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, machinery parts, and castings*, between Sedro Wolley, Wash., on the one hand, and, on the other, the international boundary line between the United States and Canada located at or near Blaine and Sumas, Wash.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 113545 (sub-No. 10), filed March 1, 1973. Applicant: **CORMETT FORWARDING CO., INC.**, P.O. Box 3057, Weehawken Branch, Union City, N.J. 07087. Applicant's representative: Morton E. Kell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Radiopharmaceuticals and medical isotopes*, (a) from Newark Airport at Newark, N.J., La Guardia and Kennedy Airports at New York, N.Y., to points in New Haven County, Conn., and North Billerica, Mass., and (b) from Philadelphia, Pa., Airport to points in Delaware, Montgomery, Philadelphia, Chester, and Bucks Counties, Pa., Camden, Atlantic, Burlington, Mercer, Gloucester, and Ocean Counties, N.J., and New Castle County, Del., and (2) *radiopharmaceuticals, and medical isotopes*, from Newark Airport at Newark, N.J., and La Guardia and Kennedy Airports at New York, N.Y., to points in Bergen, Passaic, Sussex, Warren, Morris, Essex, Hudson, Union, Middlesex, Somerset, Hunterdon, Mercer, Monmouth, and Ocean Counties, N.J., Fairfield County, Conn., Nassau, Suffolk, Westchester, Rockland, Orange, Ulster, Sullivan, Putnam, and Dutchess Counties, N.Y., and New York, N.Y., with no transportation for compensation on return except as otherwise authorized, and restricted in (2) above to the transportation of traffic having an immediately prior movement by air, and against the transportation of packages or articles weighing in the aggregate 10 pounds or less or more than 40 pounds from one consignor to one consignee on any one day, under contract with New England Nuclear Corp.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 114004 (sub-No. 124), filed March 1, 1973. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, Ark. 72209. Applicant's representative: Harold G. Hernly, Jr., 118 North Saint Asaph Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor homes*, in drive-away or haulaway service, between points in the United States including Alaska (but excluding Hawaii).

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114045 (sub-No. 378) (correction), filed February 26, 1973, published in the FEDERAL REGISTER issue of April 5, 1973, and corrected this issue. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 5842, Dallas, Tex. 75222. Applicant's representative: J. B. Stuart (same address as applicant).

NOTE.—This application was erroneously published as MC-11405 (sub-No. 378), and should be corrected to the applicant's docket No. MC-114045 (sub-No. 378). The rest of the application remains as previously published.

No. MC 114332 (sub-No. 7), filed March 7, 1973. Applicant: RAYBURN TRUCKING, INC., 941 Fairmont Avenue, Elizabeth, N.J. 07206. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lamps and lamp shades*, from Hialeah, Fla., to Charlotte, N.C., Philadelphia, Pa., New York, N.Y., points in New Jersey, and Nassau County, N.Y.; and (2) *parts and accessories* used in the manufacture of lamps and lamp shades, from New York, N.Y., and Elizabeth, N.J., to Hialeah, Fla., restricted to a transportation service to be performed under a contract or continuing contract with the Vista Lite Co. of Hialeah, Fla.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Miami, Fla.

No. MC 114486 (sub-No. 28), filed March 9, 1973. Applicant: A. F. JAMES, doing business as A. F. JAMES TRUCK LINE, 107 Lelia Street, Texarkana, Tex. 75501. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay, clay products, and jointing compounds*, from the plantsite of W. S. Dickey Clay Manufacturing Co. located at or near Meridian, Miss., to points in Illinois, Iowa, Minnesota, and Nebraska, under a continuing contract with W. S. Dickey Clay Manufacturing Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Shreveport, La.

No. MC 114608 (sub-No. 26), filed March 8, 1973. Applicant: CAPITAL EXPRESS, INC., 1239 Randolph Avenue SW., Grand Rapids, Mich. 49507. Applicant's representative: Wilhelmina Bowersma, 1600 First Federal Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities as are dealt in or distributed by Kelvinator, Inc.*; and (2) *machinery parts, materials and supplies* used in the manufacture thereof (except commodities which because of size or weight require the use of special equipment), between Greenville and Belding, Mich., on the one hand, and, on the other, points in Michigan, Ohio, Indiana, and Illinois, under contract with Kelvinator, Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., Lansing, Mich., or Chicago, Ill.

No. MC 114799 (sub-No. 2), filed March 5, 1973. Applicant: C. ARTHUR FOSSE, doing business as FOSSE TRANSPORT, P.O. Box 187, Rothsay, Minn. 56579. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers and fertilizer ingredients, liquid and dry*, in bulk, and in bags, and *urea, dry*, in bulk, and in bags, between Duluth, Minn., on the one hand, and, on the other, points in Wisconsin, Minnesota (except Duluth, Minn.), North Dakota, and South Dakota.

NOTE.—Applicant also holds contract carrier authority under MC 126042 subs-Nos. 1 and 4, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 115621 (sub-No. 5), filed March 5, 1973. Applicant: ROCKY MOUNTAIN MOBILE HOME TOWING SERVICE, INC., 2202 Tower Road, Route 3, Aurora, Ohio 80010. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Trailers* designed to be drawn by passenger automobiles, in truckaway service (b) *prefabricated buildings* in sections, and (c) *campers, camper tops and motor homes*, between points in Colorado, on the one hand, and, on the other, points in Oklahoma, Kansas, Texas, Missouri, Nebraska, Iowa, South Dakota, Montana, Wyoming, Utah, New Mexico, and Minnesota, restricted against traffic originating at Limon or Stratton, Colo.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 115838 (sub-No. 7), filed March 14, 1973. Applicant: COMMODITY HAULAGE CORPORATION, 146 92 New York Boulevard, Jamaica, N.Y. 11434. Applicant's representative: Mor-

ton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rocket motors* (class B explosive), from John F. Kennedy International Airport at New York, N.Y., to points in Nassau and Suffolk Counties, N.Y., having an immediately prior movement by air.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 115876 (sub-No. 26), filed March 9, 1973. Applicant: ERWIN HURNER, 2605 South Rivershore Drive, Moorhead, Minn. 56560. Applicant's representative: Thomas J. Van Osdal, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Preformed dairy product cartons*, and (2) *materials and supplies* used in the manufacture and processing of the commodity named in (1) above (except commodities in bulk), from Clinton, Iowa, to Moorhead, Minn., under contract with Fairmont Foods Co.

NOTE.—Applicant also holds common carrier authority under MC 117149, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak., or St. Paul, Minn.

No. MC 116544 (sub-No. 139), filed March 1, 1973. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, P.O. Box 636, Carthage, Mo. 64836. Applicant's representative: Robert Wilson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, (except in bulk, in tank vehicles) from the facilities utilized by the Kraftco Corp. located at points in Wisconsin and Minnesota, to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Louisiana.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 116763 (sub-No. 245), filed February 26, 1973. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared animal food and pet related items*, from the plantsite and/or warehouse facilities of Lipton Pet Foods at or near Golden Meadow, La., to points in Alabama, Florida, Georgia, Michigan, Indiana, North Carolina, Ohio, South Carolina, and Virginia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 116763 (sub-No. 246), filed February 26, 1973. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned juices, canned fruits, canned beverages and beverage preparations*, from points in Florida to points in Connecticut, Massachusetts, New York, New Jersey, Pennsylvania, and Rhode Island.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 116763 (sub-No. 247), filed March 1, 1973. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides or commodities in bulk), from the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., to points in Michigan, Ohio, Pennsylvania, Indiana, Alabama, Florida, Georgia, Mississippi, Kentucky, Tennessee, and Minnesota, restricted to traffic originating at the named origin and destined to the named States; and (2) *meat, meat products, meat byproducts, foodstuffs, canning plant materials, equipment, and supplies* (except hides or commodities in bulk), from points in Michigan, Ohio, Pennsylvania, Indiana, Alabama, Florida, Georgia, Mississippi, and Minnesota to the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co., at or near Beloit, Wis., restricted to traffic originating at the named origins and destined to named destination.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. Applicant seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 117574 (sub-No. 229), filed March 5, 1973. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: James W. Hager, 300 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel reinforcing bars and accessories*, between the plantsite of Bethlehem Steel Corp. at Steelton, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority under MC 117574 subs 118 (item 852), 164 (item 853), and 149 (item 854), and provide service from Steelton, Pa., to points in Iowa,

Missouri, Tennessee, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117815 (sub-No. 206), filed March 5, 1973. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa 50317. Applicant's representative: Larry D. Knox, Ninth Floor, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides or commodities in bulk), from the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., to points in Illinois, Indiana, Michigan, Ohio, Iowa, Missouri, Nebraska, and Minnesota, restricted to traffic originating at named origin and destined to named States, and (2) *meat, meat products, meat byproducts, foodstuffs, canning plant materials, equipment, and supplies* (except hides or commodities in bulk), from points in Illinois, Indiana, Nebraska, Michigan, Ohio, Iowa, Missouri, and Minnesota to the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., restricted to traffic originating at named origins and destined to named destination.

NOTE.—Common control may be involved. Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 118178 (sub-No. 14), filed March 5, 1973. Applicant: BILL MEEKER, 1632 North Mosley, P.O. Box 11184, Wichita, Kans. 67202. Applicant's representative: Gailyn L. Larsen, 521 South 14th Street, P.O. Box 80806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cider and vinegar* (except in bulk, in tank vehicles), from Alton, Ill., to points in Iowa, Nebraska, Missouri, Kansas, Oklahoma, Colorado, Arkansas, and Tennessee.

NOTE.—Applicant also holds contract carrier authority under MC 110064, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 118431 (sub-No. 7), filed March 8, 1973. Applicant: DENVER SOUTHWEST EXPRESS, INC., 605 South 14th Street, Lincoln, Nebr. 68501. Applicant's representative: David R. Parker, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (1) from the plantsites and facilities utilized by the Kitchens of Sara Lee located at or near New Hampton, Iowa, to points in Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas; (2) from the plantsites and facilities utilized by the Kitchens of Sara Lee located at or near Deerfield and Chicago, Ill., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Okla-

homa, Pennsylvania, Rhode Island, Texas, Vermont, Virginia, West Virginia, and Washington, D.C.; and (3) from the plantsites and facilities utilized by the Kitchens of Sara Lee located at or near Deerfield and Chicago, Ill., and New Hampton, Iowa, to points in Georgia and Alabama; all of the above are under contract with Kitchens of Sara Lee.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 119522 (sub-No. 21), filed March 12, 1973. Applicant: McLAINE TRUCKING, INC., 2425 Walton Street, Anderson, Ind. 46011. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Television cabinets and parts thereof* (1) from Stryker, Ohio, to Bloomington, Ind., and (2) from Bryan and Stryker, Ohio, to Indianapolis, Ind.; (B) *returned shipments of television cabinets and parts thereof* from Bloomington, Ind., to Stryker, Ohio; and (C) *used corrugated shipping containers and returned television cabinets and parts thereof*, from Indianapolis, Ind., to Bryan and Stryker, Ohio, restricted in (A), (B), and (C) above to traffic originating at or destined to the plantsites and warehouse facilities of RCA Corp.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests that it be held at Indianapolis, Ind.

No. MC 119726 (sub-No. 30), filed March 1, 1973. Applicant: N. A. B. TRUCKING CO., INC., 2502 West Howard Street, Indianapolis, Ind. 46221. Applicant's representative: James L. Beatey, 130 East Washington Street, suite 1000, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, enclosures thereof, including caps, covers, and tops*, from Terre Haute, Ind., to points in Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, and Texas.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, or Terre Haute, Ind.

No. MC 119767 (sub-No. 293), filed March 5, 1973. Applicant: BEAVER TRANSPORT CO., a corporation, I-94 and County Highway C, Bristol, Wis., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: Fred H. Figge, Pleasant Prairie, Wis. 53158. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides or commodities in bulk) from the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co. located at or near Beloit, Wis., to points in Illinois, Indiana, Minnesota, Michigan, Iowa, Kentucky, Ohio, and

Missouri, restricted to traffic originating at the named origin and destined to the named States; and (2) *meat, meat products, meat byproducts, foodstuffs, canning plant materials, equipment, and supplies* (except hides or commodities in bulk) from Illinois, Indiana, Minnesota, Michigan, Iowa, Ohio, and Missouri to the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co. located at or near Beloit, Wis., restricted to traffic originating at the named origins and destined to the named destination.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 119944 (sub-No. 14), filed March 1, 1973. Applicant: BROCKWAY FAST MOTOR FREIGHT, INC., 568 Central Avenue, Somerville, N.J. 08876. Applicant's representative: Daniel P. Dameo (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, conduit, ducts, and tubes and related fittings, attachments, materials, and accessories used in the installation thereof*, from Nazareth, Pa., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119974 (sub-No. 41), filed March 5, 1973. Applicant: L. C. L. TRANSIT COMPANY, a corporation, 949 Advance Street, Green Bay, Wis. 54305. Applicant's representative: L. F. Abel, P.O. Box 949, Green Bay, Wis. 54305. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides or commodities in bulk), from the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., to points in Kentucky, Ohio, and Iowa, restricted to traffic originating at named origin and destined to named States, and (2) *meat, meat products, meat byproducts, foodstuffs, canning plant materials, equipment, and supplies* (except hides or commodities in bulk), from points in Nebraska, Kansas, Iowa, Missouri, and Ohio to the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co. at or near Beloit, Wis., restricted to traffic originating at named origins and destined to named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn., or Chicago, Ill.

No. MC 123282 (sub-No. 12), filed March 5, 1973. Applicant: McKINLAY TRANSPORT LIMITED, Highway 25 at 401, Milton, Ontario, Canada. Applicant's representative: Robert D. Schuler, 1

Woodward Avenue, suite 1700, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between the plantsite and facilities of Ford Motor Co. at Romeo, Mich. (Macomb County), and the ports of entry on the international boundary line between the United States and Canada located on the Detroit and St. Clair Rivers, restricted to the transportation of traffic in foreign commerce.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 123407 (sub-No. 120), filed March 6, 1973. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board, plywood and building materials, and materials, accessories, and supplies* used in the installation thereof, from the plantsite of Abitibi Corp. at Chicago, Ill., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Virginia, West Virginia, Wisconsin, Wyoming, and the District of Columbia, and (2) *materials, supplies, and accessories* used in the manufacture and installation of composition board, from points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico to the plantsite of Abitibi Corp., restricted against the transportation of commodities in bulk and further restricted against shipments originating at or destined to the plantsite of the Abitibi Corp. at Chicago, Ill., in (1) and (2) above.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123776 (sub-No. 3), filed March 5, 1973. Applicant: JORDAN'S MISHAWAKA TRANSFER, INC., 1208 East Seventh Street, Mishawaka, Ind. 46544. Applicant's representative: James L. Beatty, 130 East Washington Street, Suite 1000, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*

as dealt in by wholesale and retail general merchandise establishments, and *materials and supplies* used in the conduct of such business (except commodities in bulk), between Elkhart, Goshen, Mishawaka, and South Bend, Ind., Niles and Sturgis, Mich., on the one hand, and, on the other, points in Berrien, Cass, St. Joseph, Branch, Kalamazoo, and Van Buren Counties, Mich., and La Porte, St. Joseph, Elkhart, La Grange, Steuben, De Kalb, Noble, Kosciusko, Marshall, and Stark Counties, Ind., under contract with Montgomery Ward.

NOTE.—Applicant also holds common carrier authority under MC 13944, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at South Bend or Indianapolis, Ind., or Chicago, Ill.

No. MC 124078 (sub-No. 541), filed March 19, 1973. Applicant: SCHWERTMAN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Ziperski, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fly ash*, from Glasgow, W. Va., to points in North Carolina and Tennessee; and (2) *fertilizer and fertilizer materials*, from Montgomery, Ala., to points in Florida and Georgia.

NOTE.—Applicant holds common control authority in Nos. MC-F-9737 and MC-F-10468. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 124236 (sub-No. 54), filed March 5, 1973. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 1200 Simmons Building, Dallas, Tex. 75201. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand* from points in McCulloch County, Tex., to points in Arizona, Arkansas, Colorado, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Utah.

NOTE.—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 124236 (sub-No. 55), filed March 15, 1973. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 1200 Simmons Building, Dallas, Tex. 75201. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand* from Mill Creek, Okla., to points in Smith County, Tex.

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 124236 (sub-No. 56), filed March 9, 1973. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 1200 Simmons Building, Dallas, Tex. 75201. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portland cement*, from Dallas, Tex., to points in Tennessee.

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 126266 (sub-No. 8), filed March 1, 1973. Applicant: DUDLEY BOAT & TRAILER TRANSPORTATION, INC., 34622 West Valley Highway, Auburn, Wash. 98002. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and pipe*, between points in Oregon and Washington.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 126736 (sub-No. 65), filed March 2, 1973. Applicant: PETROLEUM CARRIER CORPORATION OF FLORIDA, 737 May Street, Jacksonville, Fla. 32204. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, between points in Florida and Georgia.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 127005 (sub-No. 2) (correction), filed February 11, 1973, published in the FEDERAL REGISTER issue of March 29, 1973, and republished, as corrected, this issue. Applicant: CENTRAL STORAGE & VAN CO., a corporation, 801 South 15th Street, Omaha, Nebr. 68108. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the warehouse site of Western Electric Co., at or near Underwood, Iowa, and the Omaha, Nebr., Council Bluffs, Iowa, commercial zone.

**NOTE.**—The purpose of this republication is to indicate that the applicant seeks between movement in lieu of the from and to movement which was inadvertently previously published in error. Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 127042 (sub-No. 113), filed March 2, 1973. Applicant: HAGEN, INC., 4120 Floyd Boulevard, P.O. Box 98, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (other than frozen), from points in Oregon, Washington, and Idaho, to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Ohio, and Wisconsin.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Seattle, Wash.

No. MC 127651 (sub-No. 11), filed March 2, 1973. Applicant: EVERETT G. ROEHL, INC., 201 West Upham Street, Marshfield, Wis. 53705. Applicant's representative: Nancy J. Johnson, 4506 Regent Street, suite 100, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden doors* (including prefinished and prehung doors) and *accessories thereto*, from Marshfield, Wis., to points in Iowa, Nebraska, Illinois, Michigan, Indiana, and Minnesota; and *materials, equipment, and supplies* used in the manufacture thereof on return from said destination States to Marshfield, Wis.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Minneapolis-St. Paul, Minn.

No. MC 127834 (sub-no. 87), filed February 27, 1973. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: Robert M. Pearce, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and building materials*, from Roanoke, Va., and points in Roanoke County, Va., to points in South Carolina, North Carolina, Georgia, Tennessee, Arkansas, Kentucky, and Ohio; (2) *lumber*, from points in Virginia to points in New York, Pennsylvania, New Jersey, Delaware, Maryland, District of Columbia, West Virginia, and North Carolina; and (3) *lumber*, from points in New York to points in Virginia, North Carolina, South Carolina, Georgia, and Tennessee.

**NOTE.**—Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no intention to tack and therefore does not identify the points or territories which can be

cerved through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Washington, D.C.

No. MC 128527 (sub-No. 36), filed March 7, 1973. Applicant: MAY TRUCKING CO., P.O. Box 398, Payette, Idaho 83661. Applicant's representative: C. Marvin May (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Lumber, lumber mill products, plywood, moulding, particle board, flakeboard, hardboard, and hardboard paneling*, and (B) *aluminum sheets and/or roofing, aluminum sash and/or extrusions, iron and steel articles, including iron and steel pipe and fittings*, between points in Payette, Washington, Ada and Canyon Counties, Idaho, on the one hand, and, on the other, points in Montana and ports of entry on the international boundary line between the United States and Canada located in Montana.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 128636 (sub-No. 3), filed March 2, 1973. Applicant: MARDEL TRUCKING CO., INC., P.O. Box 280, North East, Md. 21901. Applicant's representative: Charles McD. Gillan, Jr., 113 Montrose Avenue, Baltimore, Md. 21228. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stone, crushed stone, and crushed stone screenings*, in bulk, in dump vehicles, from the site of the plant of Maryland Materials, Inc., approximately 5 miles north of North East, Md., to points in Maryland on and within the area bounded as follows: Beginning at the intersection of Delaware-Maryland State boundary line and Maryland Highway 392, thence along Maryland Highway 392 to intersect Maryland Highway 14 at East New Market, Md., thence along Maryland Highway 14 to Secretary, Md., and the Choptank River and the Chesapeake Bay (including estuaries of tributaries thereto) to the Maryland-Virginia State boundary line, thence along the Maryland-Virginia State boundary line to the Atlantic Ocean, thence along the Atlantic Ocean to the Maryland-Delaware State boundary line, thence along the Maryland-Delaware State boundary line to the point of beginning; and on return, *rejected or undeliverable shipments* to the point of origin as specified above. Restriction: The services described herein are limited to be performed under a continuing contract, or contracts, with Maryland Materials, Inc. of North East, Md.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Wilmington, Del.

No. MC 128862 (sub-No. 16), filed March 5, 1973. Applicant: B. J. CECIL



**TRUCKING, INC.,** Box C, Claypool, Ariz. 85532. Applicant's representative: Earl H. Carroll, 363 North First Avenue, Phoenix, Ariz. 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Compressed or shredded used tin cans and tin scrap*, in bulk, in side dump equipment, from points in Orange County, Calif., to points in Maricopa County, Ariz.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Phoenix or Tucson, Ariz.

No. MC 128985 (sub-No. 5) filed March 2, 1973. Applicant: **WILKERSON TRUCKING CO., INC.**, Route No. 5, Lenoir City, Tenn. 37771. Applicant's representative: Walter Harwood, 1822 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Heating and air-conditioning equipment and supplies, and appliances* including stoves and refrigerators (gas and electric), dishwashers, disposals, and *parts and accessories therefor*, from Los Angeles, and City of Industry, Calif., to points in Arizona, Colorado, Florida, Georgia, Idaho, Nevada, Oklahoma, and Texas, under a continuing contract, or contracts, with Gaffers & Stattler, Inc., at Los Angeles, Calif.

**NOTE.**—Applicant holds a motor common carrier certificate in No. MC-124632 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 129184 (sub-No. 12), filed March 19, 1973. Applicant: **KENNETH L. KELLAR**, Box 449, Blaine, Wash. 98230. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquor, alcoholic, from Louisville, Ky., and Lynchburg, Tenn., to Riviera Beach, Fla.; Superior, Wis.; International Falls, Grand Portage, and Noyes, Minn.; Pembina and Portal, N. Dak.; Sweetgrass, Mont.; Oroville and Blaine, Wash., and San Francisco, Calif., under contract with Exports, Inc.*

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 129387 (sub-No. 15), filed March 5, 1973. Applicant: **BILL PAYNE**, doing business as **BILL PAYNE TRUCKING CO.**, Highway 14 East, Huron, S. Dak. 57350. Applicant's representative: George N. Manolis, 201 Farmers & Merchants Bank Building, 50 Third Street SW., Huron, S. Dak. 57350. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides or commodities in bulk), from the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co., at or near Beloit, Wis., to points in Minnesota, North Dakota, South Dakota, Nebraska,

Iowa, Illinois, Indiana, Michigan, Ohio, Missouri, Kansas, and Oklahoma, restricted to traffic originating at named origin and destined to named States, and (2) *meat, meat products, meat byproducts, foodstuffs, and canning plant materials, equipment, and supplies* (except hides or commodities in bulk) from points in Minnesota, North Dakota, South Dakota, Nebraska, Iowa, Illinois, Indiana, Michigan, Ohio, Missouri, Kansas, and Oklahoma, to the plantsite and/or warehouse facilities utilized by Geo. A. Hormel & Co., at or near Beloit, Wis., restricted to traffic originating at named origins and destined to named destinations.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 129573 (sub-No. 3), filed March 5, 1973. Applicant: **THIBODEAU EXPRESS LIMITED**, Box 430, Walkerville Postal Station, Windsor 15, Ontario, Canada. Applicant's representative: Robert D. Schuler, 1 Woodward Avenue, suite 1700, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between the plantsite and facilities of Ford Motor Co. at Romeo, Mich. (Macomb County), and ports of entry on the international boundary line between the United States and Canada on the Detroit River, restricted to the transportation of traffic in foreign commerce.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 129727 (sub-No. 5), filed March 1, 1973. Applicant: **CARROLL TRUCK LINES, INC.**, Box 4, West, Miss. 39192. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty Bank Building, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt, salt products, and mineral feed mixtures*, from Vicksburg, Miss., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, restricted to the transportation of traffic having a prior movement by water or rail, under a continuing contract with the Carey Salt Co., a division and subsidiary of the Interpace Corp.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Jackson, Miss.

No. MC 133095 (sub-No. 44), filed March 19, 1973. Applicant: **TEXAS CONTINENTAL EXPRESS, INC.**, P.O. Box 434, Euless, Tex. 76039. Applicant's rep-

resentative: Rocky Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcohol and alcoholic beverages*, from points in Illinois, Michigan, Indiana, Kentucky, and Ohio, to points in Oklahoma, Arkansas, Louisiana, and those in Texas on and east of U.S. Highway 277.

**NOTE.**—Applicant has pending a motor contract carrier application in No. MC-136032, therefore dual operations may be involved. Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 133095 (sub-No. 45), filed March 19, 1973. Applicant: **TEXAS-CONTINENTAL EXPRESS, INC.**, P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* (except hides and commodities in bulk), from the plantsite and warehouse facilities of National Beef Packing Co. located at Liberal, Kans., to points in Oklahoma, Texas, Louisiana, Mississippi, and Alabama, restricted to traffic originating at the named plantsite and warehouse facilities and destined to the named destinations.

**NOTE.**—Applicant has pending a motor contract carrier application in No. MC-136032, therefore dual operations may be involved. Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Kansas City, Mo., or Washington, D.C.

No. MC 133377 (sub-No. 3), filed March 2, 1973. Applicant: **COMMERCIAL SERVICES, INC.**, P.O. Box 117, Lakeside, Iowa 50588. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except hides and commodities in bulk), from the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co., at or near Beloit, Wis., to points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota; and (2) *meat, meat products, and meat byproducts, foodstuffs, and materials, equipment, and supplies* used by canning plants (except hides and commodities in bulk), from points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota to the plantsite and warehouse facilities utilized by Geo. A. Hormel & Co., at or near Beloit, Wis., restricted in parts (1) and (2) above to traffic originating at the named origins and destined to the named destinations.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 133534 (sub-No. 8), filed February 22, 1973. Applicant: **ROBERT V.**

MARKT, 1405 Rifle Terrace, Box 85, Station A, St. Joseph, Mo. 64503. Applicant's representative: Tom B. Kretsinger, 910 Fairfax Building, 101 West Eleventh, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feed, feed ingredients, and animal health aids*, (1) from Elwood, Kans., to points in Missouri, (2) from Omaha, Nebr., to Elwood, Kans., and (3) from Kansas City, Mo., to Elwood, Kans.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, St. Joseph, or Jefferson City, Mo.

No. MC 134599 (sub-No. 73), filed 5, 1973. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 784, Salt Lake City, Utah 84110. Applicant's representative: Richard A. Peterson, P.O. Box 80806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tires, rubber, and rubber products, synthetic rubber, plastic powder and granules*, from Painesville, Ohio, and Detroit, Mich., to points in Wisconsin, Illinois, Indiana, Kentucky, West Virginia, Virginia, Pennsylvania, New York, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island, Delaware, Maryland, New Jersey, and the District of Columbia, under contract with Uniroyal, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Lincoln, Nebr.

No. MC 134718 (sub-No. 5), filed March 7, 1973. Applicant: EDWARD P. HOWELL, INC., Rural Delivery No. 6, Box 17, Elkton, Md. 21921. Applicant's representative: William P. Jackson, Jr., 919 18th Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Water*, in containers, from the facilities of Poland Spring Bottling Corp., at or near Poland, Maine, and at or near Asbury Park, N.J., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas; and (2) *materials, supplies, and equipment* used in the bottling and distribution of water (except in bulk), from the destination territory named in (1) above to the facilities of Poland Spring Bottling Corp. at or near Poland, Maine, and Asbury Park, N.J., under a continuing contract, or contracts, in (1) and (2) above with Poland Spring Bottling Corp., restricted in (1) and (2) above to the transportation of shipments originating at or destined to the facilities of Poland Spring Bottling Corp. at or near Poland, Maine, and Asbury Park, N.J.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134959 (sub-No. 3), filed February 22, 1973. Applicant: GEORGE BENNETT AND WILLIAM A. WHITE, a partnership, doing business as BENNETT & WHITE, Greeley, Colo. 80631. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Magnesium oxide*, from the facilities of Basics, Inc., located at or near Gabbs, Nev., to points in Colorado, New Mexico, Kansas, Oklahoma, Wyoming, Texas, Nebraska, and Utah; (2) *animal feed supplements* from Lee's Summit, Mo., to Denver, Colo.; (3) *agricultural chemicals*, from Kansas City, Mo., to Denver, Colo.; (4) *soda bicarbonate*, from points in Sweetwater County, Wyo., to points in Colorado; (5) *sodium bentonite*, from points in Weston County, Wyo., to points in Colorado; and (6) *baling wire*, from Pueblo, Colo., to points in Wyoming and New Mexico, under contract with Feed Products, Inc., and Van Waters & Rogers, a division of Van Waters & Rogers United.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 135007 (sub-No. 27), filed March 6, 1973. Applicant: AMERICAN TRANSPORT, INC., 7850 F Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C to appendix I to the report in "descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles) from the plantsite and storage facilities utilized by Spencer Foods, Inc., located at or near Spencer and Hartley, Iowa, to points in Alabama, Georgia, Florida, North Carolina, South Carolina, and Tennessee (except Memphis), under a continuing contract with Spencer Foods, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Lincoln, Nebr.

No. MC 135454 (sub-No. 5), filed March 8, 1973. Applicant: DENNY TRUCK LINES, INC., 893 Ridge Road, Webster, N.Y. 14580. Applicant's representative: Francis P. Barrett, 60 Adams Street, Milton, Mass. 02187. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty containers*, from the plantsites and warehouses of the American Can Co., Inc., at Fairport, N.Y., to the plantsite and warehouses of Duffy Mott Co., Inc., at Aspers, Pa.

NOTE.—Applicant states that the requested authority cannot or will not be tacked with its existing authority. If a hearing is deemed

necessary, applicant requests it be held at New York, N.Y.

No. MC 135486 (sub-No. 4), filed March 7, 1973. Applicant: JACK HODGE TRANSPORT, INC., 2410 West Ninth Street, Marion, Ind. 46952. Applicant's representative: Jacob B. Billig, 1108 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and equipment, materials, and supplies* used in the conduct of such business, in vehicles equipped with mechanical refrigeration, from the plantsite and warehouse facilities of the Kroger Co., at Columbus, Ohio, to stores, warehouses, and storage facilities at Louisville, Ky., Nashville and Memphis, Tenn., and Little Rock, Ark., and returned shipments of the above-described commodities, from the above-described destinations, to the plantsite and warehouse facilities of the Kroger Co., at Columbus, Ohio, under a continuing contract, or contracts, with the Kroger Co., of Columbus, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135532 (sub-No. 3), filed March 9, 1973. Applicant: U & R EXPRESS, INC., P.O. Box 2363, White City, Oreg. 97501. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oreg. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood residuals*, from points in Lane, Linn, Clackamas, Multnomah, Tillamook, Yamhill, and Marion Counties, Oreg., to points in Cowlitz and Clark Counties, Wash.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 135949 (sub-No. 3), filed March 12, 1973. Applicant: O. H. BALDRIDGE AND SONS, INC., Box 289, Highway 161 East, Centralia, Ill. 62801. Applicant's representative: Robert T. Lawley, 300 Relsch Building, Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pre-stressed and precast concrete products*, from Centralia, Ill., to points in Indiana, Kentucky, and Missouri, under a continuing contract, or contracts, with Nelsen Concrete Products, Inc., at Centralia, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago or Springfield, Ill.

No. MC 136182 (sub-No. 1), filed March 19, 1973. Applicant: B & C MOTOR FREIGHT, INC., 18 Malinda Street, P.O. Box 166, Peru, Ind. 46970. Applicant's representative: Walter F. Jones, Jr., 691 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and*

*nitrogen solutions*, (1) from Fulton, Ind., to points in Illinois, and (2) from Sullivan, Harvel, and El Paso, Ill., to points in Indiana.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 136211 (sub-No. 10), filed March 5, 1973. Applicant: MERCHANTS HOME DELIVERY SERVICE, INC., 210 St. Mary's Drive, P.O. Box 5067, Oxnard, Calif. 93030. Applicant's representative: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La. 70130. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and appliances*, from the facilities of Levitz Furniture Co. located in Orleans Parish, La., to points in Mississippi on and south of U.S. Highway 80, under contract with Levitz Furniture Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 136290 (sub-No. 1), filed March 8, 1973. Applicant: ALBERT LEE BACHMAN, doing business as BACHMAN TRUCKING CO., Rural Route 1, Jasper, Ind. 47546. Applicant's representative: James L. Beatty, 130 East Washington Street, suite 1000, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery, parts, and equipment*, from Columbus, Ohio, to points in that part of Indiana on and south of U.S. Highway 40, on and west of U.S. Highway 31.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Louisville, Ky.

No. MC 136307 (sub-No. 4), filed March 15, 1973. Applicant: BURKE-WITZ TRANSPORT, INC., P.O. Box 47, Coventry, Vt. 05825. Applicant's representative: Frederick T. O'Sullivan, 622 Lowell Street, Peabody, Mass. 01960. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pallets*, from East Burke, Vt., to points in Maine, New Hampshire, Rhode Island, Massachusetts, Connecticut, New York, and New Jersey, and (2) *railroad ties*, from East Burke, Vt., to Nashua, N.H.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 136318 (sub-No. 5), filed March 26, 1973. Applicant: COYOTE TRUCK LINE, INC., 395½ West Fleming Drive, Morganton, N.C. 28655. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Pleasant Garden, Thomasville, Lenoir, and Winston-Salem, N.C., to points in Texas, California, Arizona, and Colorado, under

contract with Thomasville Furniture Industries, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Raleigh, N.C.

No. MC 136371 (sub-No. 9), filed March 2, 1973. Applicant: CONCORD TRUCKING CO., INC., 30 Pulaski Street, Bayonne, N.J. 07002. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in or used by discount or department stores, between the facilities of Lady Rose Division, located in Westbury, N.Y., on the one hand, and, on the other, Canton, Akron, Kent, Cuyahoga Falls, Youngstown, Cleveland, Elyria, Bedford, and Euclid, Ohio; Norristown, Pa.; and Atlantic City and Vineland, N.J., under contract with Lady Rose Division.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 136381 (sub-No. 1), filed February 20, 1973. Applicant: BRITISH PACIFIC TRANSPORT, LTD., 2636 Douglas Road, Burnaby 2, British Columbia, Canada. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, between ports of entry on the international boundary line between the United States and Canada located at or near Blaine or Sumas, Wash., on the one hand, and, on the other, points in Oregon and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 136384 (sub-No. 2) (correction), filed January 8, 1973, published in the FEDERAL REGISTER issue of February 23, 1973, and republished, as corrected, this issue. Applicant: PALMER MOTOR EXPRESS, INC., P.O. Box 103, Savannah, Ga. 31402. Applicant's representative: Guy H. Postell, 3384 Peachtree Road, Suite 713, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, those requiring special equipment because of size or weight, classes A and B explosives, and household goods as defined by the Commission), (1) between Savannah, Ga., and Hampton, S.C.: From Savannah, Ga., over U.S. Highways 17 and 17A to junction U.S. Highways 601 and 321 at or near Hardeeville, S.C., thence over U.S. Highways 601 and 321 to junction U.S. Highway 601 near Robertville, S.C., thence over U.S. Highway 601 to Hampton, S.C., and return over the same route, serving all intermediate points; (2) between Savannah, Ga., and Hampton, S.C.: From Savannah over U.S. Highways 17 and 17A to junction U.S. Highways 601 and 321 at or near Hardeeville, S.C. thence over U.S.

Highways 601 and 321 to junction of said highways at or near Tarboro, S.C., thence over U.S. Highway 321 to Farnett, S.C., thence over U.S. Highway 321 to junction South Carolina Highway 363 at or near Luray, S.C., thence over South Carolina Highway 363 to junction U.S. Highway 278 near Hampton, S.C., thence over U.S. Highway 278 to Hampton, S.C., and return over the same route, serving all intermediate points; (3) between Savannah, Ga., and Canadys, S.C.: From Savannah, Ga., over U.S. Highways 17 and 17A to junction Interstate Highway 95, U.S. Highways 601 and 301 at or near Hardeeville, S.C., thence over Interstate Highway 95 and U.S. Highway 17 to Pocolaligo, S.C., thence over U.S. Highways 17, 17A and South Carolina Highway 64 to Walterboro, S.C., thence over U.S. Highway 15 to Canadys, S.C., and return over the same route, serving all intermediate points; (4) between Savannah, Ga., and Canadys, S.C.: From Savannah over U.S. Highways 17 and 17A to junction South Carolina Highway 170, thence over South Carolina Highway 170 to junction U.S. Highway 278, thence over U.S. Highway 278 to junction South Carolina Highway 462, thence over South Carolina Highway 462 to junction Interstate Highway 95, and U.S. Highway 17 at or near Coosawhatchie, S.C., thence over Interstate Highway 95 and U.S. Highway 17A to Walterboro, S.C., thence over U.S. Highway 15 to Canadys, S.C., and return over the same route, serving all intermediate points;

(5) Between Hampton, S.C., and Cottageville, S.C.: From Hampton over South Carolina Highway 363 to junction South Carolina Highway 63, thence over South Carolina Highway 63 to junction U.S. Highway 17A at or near Walterboro, S.C., thence over U.S. Highway 17A to Cottageville, S.C., and return over the same route, serving all intermediate points; (6) between Savannah, Ga., and Hilton Head Island, S.C.: From Savannah, Ga., over U.S. Highways 17 and 17A to junction South Carolina Highway 170, thence over South Carolina Highway 170 to junction South Carolina Highway 46 at or near Pritchardville, S.C., thence over South Carolina Highway 46 to junction U.S. Highway 278, thence over U.S. Highway 278 to Forest Beach, S.C., on Hilton Head Island, S.C., and return over the same route, serving all intermediate points; (7) between Savannah, Ga., and Walterboro, S.C.: From Savannah over U.S. Highways 17 and 17A to junction South Carolina Highway 170, thence over South Carolina Highway 170 to junction U.S. Highway 278, thence over South Carolina Highway 170 and U.S. Highway 278 to junction South Carolina Highway 170 (north of Jasper, S.C.), thence over South Carolina Highway 170 to junction U.S. Highway 21 at or near Beaufort, S.C., thence over U.S. Highway 21 to Gardens Corner, S.C., thence over U.S. Highway 17 to Jacksonboro, S.C., thence over South Carolina Highway 64 to Walterboro, and return over the same route, serving all intermediate points; (8) between Hampton, S.C., and Beaufort, S.C.: From Hampton, S.C., over U.S. Highway 278 to



junction South Carolina Highway 68, at or near Alameda, S.C., thence over South Carolina Highway 68 to junction U.S. Highways 17A and 21 at or near Yemassee, S.C., thence over U.S. Highways 17A and 21 to Gardens Corner, S.C., thence over U.S. Highway 21 to Beaufort, S.C., and return over the same route, serving all intermediate points; and (9) with authority to serve all points other than those described in (1) through (8) above in Beaufort, Hampton, Jasper, and Colleton Counties, S.C., as off-route points in connection with the above-described regular routes.

**NOTE.**—The purpose of this republication is to properly describe the requested routes in Nos. (1), (2), and (7) above which were inadvertently previously published in error. If a hearing is deemed necessary, applicant requests it be held at Savannah or Atlanta, Ga.

No. MC 136786 (sub-No. 1), filed March 1, 1973. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Boulevard, room 205, Minneapolis, Minn. 55416. Applicant's representative: Val Higgins 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese* (except in bulk, in tank vehicles), from Baltimore, Md., and New York, N.Y., to Carthage, Mo. Restriction: Restricted to traffic having an intermediate prior movement by water and destined to Safeway Stores, Inc., Carthage, Mo.

**NOTE.**—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., Minneapolis or St. Paul, Minn.

No. MC 136786 (sub-No. 2), filed March 5, 1973. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Boulevard, Minneapolis, Minn. 55416. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture, furniture parts, and lamps*, from Dublin and East Dublin, Ga., to points in Arizona, Arkansas, California, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming.

**NOTE.**—Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn., or Atlanta, Ga.

No. MC 136916 (sub-No. 4), filed March 7, 1973. Applicant: LENAPE TRANSPORTATION CO., INC., P.O. Box 227, Lafayette, N.J. 07848. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salt, and processed foods*, from points in Hudson, Essex, and

Union Counties, N.J., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia, and (2) *materials and supplies and rejected or damaged shipments* from the above-named destination States to the origin points.

**NOTE.**—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 136930 (sub-No. 2), filed March 7, 1973. Applicant: THE GAIL CORP., General Delivery, Falls, Pa. 18615. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fiberglass reinforced plastic, sewage disposal units*, uncrated, weighing less than 500 pounds, and *parts and supplies* used in the installation and operation thereof, from points in Wyoming, Lackawanna, and Luzerne Counties, Pa., to points in the United States (except Alaska and Hawaii); (2) *materials, equipment, and supplies* used or useful in the production, manufacture, and distribution of the commodities in (1) above (except bulk commodities), from points in the United States (except Alaska and Hawaii), to points in Wyoming, Lackawanna, and Luzerne Counties, Pa.; and (3) *plastic drainage tubing*, from points in Wyoming, Lackawanna, and Luzerne Counties, Pa., and Geneva, N.Y., to points in the United States (except Alaska and Hawaii).

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 138206 (sub-No. 2), filed February 28, 1973. Applicant: TRULINE CORP., 5804 Pebble Beach, Las Vegas, Nev. 89108. Applicant's representative: Grant Truman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, including wallboard, plasterboard, and plaster* in bags, from points in Clark County, Nev., to points in Ventura, Orange, Los Angeles, Riverside, San Bernardino, Kern, and San Diego Counties, Calif.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Las Vegas or Carson City, Nev., or San Francisco, Calif.

No. MC 138304 (sub-No. 1), filed February 28, 1973. Applicant: NATIONAL PACKERS EXPRESS, INC., 29 South La Salle Street, Chicago, Ill. 60603. Applicant's representative: Craig E. Sherman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages, malt beverage dispensing equipment, and advertising materials and supplies* (except commodities in bulk), from New York, N.Y.; Newark and Hoboken, N.J.; Philadelphia, Pa.; Balti-

more, Md.; and Wilmington, Del.; to points in Ohio, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, Kansas, Missouri, Colorado, Michigan, Kentucky, Tennessee, Maryland, District of Columbia, North Dakota, and South Dakota; and (2) *empty malt beverage containers and malt beverage dispensing equipment*, from points in Ohio, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Nebraska, Kansas, Missouri, Colorado, Michigan, Kentucky, Tennessee, North Dakota, South Dakota, Maryland, District of Columbia to New York, N.Y.; Newark and Hoboken, N.J.; Philadelphia, Pa.; Baltimore, Md.; and Wilmington, Del.

**NOTE.**—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 138323 (sub-No. 2) (amendment), filed February 20, 1973, published in the Federal Register issue of April 12, 1973, and republished in part, as amended, this issue. Applicant: CLARENCE L. WERNER, doing business as WERNER ENTERPRISES, 805 32d Avenue, Council Bluffs, Iowa 51501. Applicant's representative: Charles J. Kimball, 2310 Colorado Bank State Building, 1600 Broadway, Denver, Colo. 80202.

**NOTE.**—The sole purpose of this partial republication is to amend the proposed authority to as to restrict the territorial scope to traffic originating at and destined to the plant sites and storage facilities of Charles Schneider & Co., Inc., located at or near Council Bluffs, Iowa. The rest of the application remains as previously published.

No. MC 138346 (sub-No. 1), filed March 15, 1973. Applicant: L. V. GOFF, Route 5, Paris, Tex. 75460. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cottonseed meal, cottonseed hulls, soybean meal, rice byproducts, and hemicellulose extracts*, in bulk or bags, from points in Arkansas, Louisiana, and Mississippi, to the facility of Valley Feed Mills, Inc., at Paris, Tex.

**NOTE.**—If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 138364 (sub-No. 2), filed February 26, 1973. Applicant: JOHN E. HOTH, doing business as HOTH TRUCKING, Garrettsville, Iowa 52409. Applicant's representative: Jack H. Blanshan, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant site and storage facilities of Hygrade Food Products Co., at or near Postville, Iowa, to points in Illinois and Wisconsin, restricted to the transportation of traffic originating

at the above named origin point and destined to points in the named destination States.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Detroit, Mich.

No. MC 138366 (sub-No. 2), filed March 5, 1973. Applicant: DOUG RUCK-DASCHEL, doing business as RUCK-DASCHEL TRUCK LINE, Postville, Iowa 52162. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Hygrade Food Products Co., at or near Postville, Iowa, to points in Illinois and Wisconsin, restricted to the transportation of traffic originating at the above named origin point and destined to the named destinations.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Detroit, Mich.

No. MC 138404 (sub-No. 1), filed February 26, 1973. Applicant: DALE FOWLER AND MERLE THRAPP, doing business as D & M TRANSPORT, Spragueville, Iowa 52074. Applicant's representative: Robert E. Konchar, 315 Commerce Exchange Building, P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, complete, knocked down, or in sections and trailers designed to be drawn by passenger automobiles*, from points in Henry County, Iowa, to points in the United States (except Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 138429 (sub-No. 2), filed March 1, 1973. Applicant: ASI, INC., P.O. Box 10444, Jacksonville, Fla. 32207. Applicant's representative: Sol H. Proctor, 2501 Gulf Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is marketed by home products distributors, between points in (1) Florida; (2) Virginia; (3) West Virginia; and (4) from points in Virginia to points in West Virginia, under contract with Amway Corp.*

NOTE.—Applicant holds common carrier authority under MC 138498-R and sub 1 TA pending. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla. or Atlanta, Ga.

No. MC 138484 (amendment), filed February 12, 1973, published in the FEDERAL REGISTER issue of April 5, 1973, and

republished, as amended this issue. Applicant: MERLE SHURSON, doing business as SHURSON TRUCKING CO., New Richland, Minn. 56072. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, restricted to traffic having a prior or subsequent rail movement, from Waseca, Minn., to points in Minnesota.

NOTE.—The purpose of this republication is to amend the restriction by adding "subsequent" to the rail movement in the commodity description. If a hearing is deemed necessary, applicant requests it be held at Waseca, Minn.

No. MC 138517, filed March 7, 1973. Applicant: METROPOLITAN TRUCKING, INC., 2424 95th Street, North Bergen, N.J. 07047. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic hose, and materials, equipment, and supplies*, used or useful in the manufacture and sale of plastic articles, between the facilities of Colorite Plastics Co., Division of Dart Industries, Inc., at Ridgefield, N.J., on the one hand, and, on the other, points in the United States in and east of North Dakota, South Dakota, Nebraska, Colorado, New Mexico, and Texas, under contract with Colorite Plastic Co., Division Dart Industries, Inc.

NOTE.—Dual operations and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 138522, filed March 1, 1973. Applicant: R. G. STANKO EXPRESS, INC., West Highway 20, P.O. Box 509, Gordon, Nebr. 69343. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Gordon, Nebr., to points in Iowa, Kansas, Illinois, Missouri, and Colorado, under contract with Nebraska Beef Packers Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Denver, Colo.

No. MC 138527, filed March 5, 1973. Applicant: HESS, INC., P.O. Box 533, Fairbury, Nebr. 68352. Applicant's representative: Con M. Keating, 530 South 13th Street, Lincoln, Nebr. 68508. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages (except in bulk), and empty alcoholic beverage containers* between Fairbury, Nebr., and St. Louis, Mo., under contract with Fairbury Sales Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Fairbury or Lincoln, Nebr.

No. MC 138536, filed February 28, 1973. Applicant: METROPOLITAN VAN & STORAGE, INC., 635 Escobar Street, Martinez, Calif. 94553. Applicant's representative: William M. Crawford, P.O. Box 99156, Seattle, Wash. 98199. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Sonoma, Napa, Marin, Sacramento, Contra Costa, Alameda, San Mateo, Santa Clara, Merced, Yolo, and Stanislaus Counties, Calif., restricted to traffic having a prior or subsequent movement in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, or decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 138537, filed March 7, 1973. Applicant: RAYMOND KILLION, doing business as KILLION TRUCK LINE, Johnstown, Nebr. 69214. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feed and feed ingredients*, from the plantsite and warehouse facilities of Ralston Purina at or near Sioux City, Iowa, to points in Boyd, Rook, Brown, Keya Paha, and Cherry Counties, Nebr., under a continuing contract or contracts with Ralston Purina.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 138540, filed March 15, 1973. Applicant: BUTLER REFRIGERATED DELIVERY, INC., 609 Perry Highway, Pittsburgh, Pa. 15229. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and packinghouse products*, in mechanically refrigerated vehicles, from points in Butler County, Pa., to points in Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Fayette, Green, Indiana, Lawrence, Somerset, Washington, and Westmoreland, Counties, Pa.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 138541, filed March 5, 1973. Applicant: OLIN V. JOFFRION, INC., doing business as BIG "J" CONSTRUCTION CO., 419 West Sabine Street, Carthage, Tex. 75633. Applicant's representative: Dowell Peterson, 4615 Post Oak Place, suite 215, Houston, Tex. 77027. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sawdust*,

shavings, wood chips, bark, and lumber products, between points in Oklahoma, Arkansas, Texas, Louisiana, and Mississippi, under contract with Louisiana-Pacific Corp.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Houston or Fort Worth, Tex.

No. MC 138543, filed March 9, 1973. Applicant: GARY A. SCANNAVINO, doing business as CHEROKEE FREIGHT LINES, 5463 Cherokee Road, Stockton, Calif. 95205. Applicant's representative: Marshall G. Berol, 100 Bush Street, 21st floor, San Francisco, Calif. 94104. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Granulated sugar and liquid sugar, syrups, and blends*, in bulk, between the plantsites of Amstar Corp., Spreckels Sugar Division, located at Spreckels, Mendota, Manteca, and Woodland, Calif., on the one hand, and, on the other, points in Nevada, Oregon, and Washington, under a continuing contract, or contracts, with Amstar Corp., Spreckels Sugar Division, at San Francisco, Calif.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 138546, filed March 9, 1973. Applicant: HANNA TRUCKING CO., INC., 283 Church Street, Brookville, Pa. 15825. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Clarion County, Pa., to points in Erie, Chautauqua, and Niagara Counties, N.Y., under a continuing contract with The Shefidan Coal Sales Co., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 138547, filed March 26, 1973. Applicant: HUDSON HANDLING CO., INC., Rural Delivery No. 2, Hudson, N.Y. 12534. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Salt*, from Hudson (Columbia County), N.Y., to points in Berkshire, Franklin, Hampshire, and Hampden Counties, Mass. Common control may be involved.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 138548, filed March 16, 1973. Applicant: INDIANOAKS TRANSPORTATION CO., a corporation, 10346 South Indianapolis Boulevard, Chicago, Ill. 60617. Applicant's representative: James R. Madler, Terrace Suite 1608, 1255 North Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and contractors' machinery, equipment, materials, and supplies*, between Bradley, Ill., on the one hand, and, on the other, points in Indiana, Illinois,

Iowa, Missouri, Michigan, Wisconsin, and Nebraska.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 138549, filed March 13, 1973. Applicant: RIVIANA TRANSPORTATION, INC., 3055 East 44th Street, Los Angeles, Calif. 90058. Applicant's representative: Paul M. Daniell, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs, meats, meat products, meat byproducts, and materials and supplies*, used in the manufacture thereof (except hides and commodities in bulk), between the plantsites and warehouse facilities of California Convenience Foods, Inc., at Vernon (Los Angeles), Montebello, and Compton, Calif., on the one hand, and on the other, points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts, with California Convenience Foods, Inc., at Los Angeles, Calif.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 138550, filed March 12, 1973. Applicant: W. SMITH CARTAGE CO., INC., 2711 Crystal Lake Road, Cary, Ill. 60013. Applicant's representative: James R. Madler, Village Suite 1608, 1255 North Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Chicago and Rockford, Ill., on the one hand, and, on the other, points in Kane, Boone, McHenry, and Lake Counties, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

#### MOTOR CARRIER OF PASSENGERS

No. MC 82007 (sub-No. 7), filed March 9, 1973. Applicant: SAMUEL COOPER GREGG, Yorklyn, Del. 19736. Applicant's representative: Harry J. Jordan, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip charter operations, beginning and ending at Wilmington, Del., and other points in New Castle County, Del., and extending to points in New York, Connecticut, and Massachusetts.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Wilmington, Del., or Philadelphia, Pa.

#### APPLICATION FOR BROKERAGE LICENSE

No. MC 130196, filed February 6, 1973. Applicant: TOURS OF THE LOWER CAPE FEAR, INC., 102 Colonial Drive, Wilmington, N.C. 28401. Applicant's representative: Daniel Lee Brawley, P.O.

Box 1013, 14 South Fifth Street, Wilmington, N.C. 28401. For a license (BMC-5) to engage in operations as a broker at Wilmington, N.C., in arranging for the transportation, by motor vehicle, in interstate or foreign commerce, of *passengers and groups of passengers and their baggage*, in sightseeing and pleasure tours between points in the United States (including Alaska and Hawaii).

#### APPLICATION FOR FREIGHT FORWARDER

No. FF-436, COASTAL FEEDERS, INC. FREIGHT FORWARDER APPLICATION, filed April 4, 1973. Applicant: COASTAL FEEDERS, INC., 80 Broad Street, New York, N.Y. 10007. Applicant's representative: Martin S. Snitow, 233 Broadway, Woolworth Building, New York, N.Y. 10007. Application of Coastal Feeders, Inc., filed April 4, 1973, for a permit to institute a new operation to engage in operation, in interstate commerce as a freight forwarder, through use of the facilities of common carriers by water, motor vehicle, and railroad, in the transportation of freight, all kinds, loaded in containers having prior or subsequent ocean movement in foreign commerce between the ports and port terminal areas of Hampton Roads, Va. (including Norfolk, Va.), Baltimore, Md. (including Dundalk, Md.), and Philadelphia, Pa. (including Camden, N.J.).

NOTE.—If the application is assigned for oral hearing, applicant requests it be held at New York, N.Y., or Washington, D.C.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 113908 (sub-No. 258), filed March 5, 1973. Applicant: ERICKSON TRANSPORT CORP., 2105 East Dale Street, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Alcoholic liquors*, in bulk, in tank vehicles, from Auburndale, Lake Alfred, and Winterhaven, Fla., to Peoria, Ill., and Schaefferstown, Pa. (except brandy and wine from Lake Alfred, Fla., to Peoria, Ill., and brandy, wine, and rum from Lake Alfred, Fla., to Schaefferstown, Pa.); (2) *beverage spirits* (except brandy and wine) in bulk, in tank vehicles, from Lake Alfred, Fla., to Linden, N.J.; (3) *beverage spirits, alcoholic liquors, and neutral spirits*, in bulk, in tank vehicles, from Auburndale and Lake Alfred, Fla., to points in Connecticut, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, Ohio, and Pennsylvania, (except (a) brandy and wine, from Lake Alfred, Fla., to points in Illinois, Indiana, Michigan, Minnesota, New Jersey, and Ohio; (b) brandy, wine, and rum, from Lake Alfred, Fla., to points in Pennsylvania; (c) brandy and rum, from Lake Alfred, Fla., to Baltimore, Gwynnbrook, and Relay, Md.; (d) alcoholic liquors, from Auburndale, Lake Alfred, and Winterhaven, Fla., to Peoria, Ill., and Schaefferstown, Pa.; (e) alcoholic liquors (rum), from Lake Alfred, Fla., to Cincinnati, Ohio; and

(f) beverage spirits, from Lake Alfred, Fla., to Linden, N.J.); and (4) molasses, in bulk, in tank vehicles, from New Orleans, La., to Springfield, Mo.

NOTE.—Applicant states that the requested authority cannot be tacked with its existing authority.

No. MC 138147 (sub-No. 2), filed March 7, 1973. Applicant: MICHAEL B.

CASEY, doing business as KROSS KEY KARTAGE, 1389 South Third Street, Memphis, Tenn. 38101. Applicant's representative: A. Doyle Cloud, Jr., 2008 Clark Tower, 5100 Poplar Avenue, Memphis, Tenn. 38137. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Veneer and corestock, between Memphis,

Tenn., on the one hand, and, on the other, Earle, Ark., restricted to traffic with a prior movement by water, under contract with Evans Products Co.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-7477 Filed 4-18-73;8:45 am]

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THURSDAY, APRIL 19, 1973  
WASHINGTON, D.C.

Volume 38 ■ Number 75

PART II



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## **ENVIRONMENTAL PROTECTION AGENCY**

■

### **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**Proposed Forms and Guidelines for  
Information From Owners and  
Operators of Point Sources**

# ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 126]

## ACQUISITION OF INFORMATION FROM OWNERS AND OPERATORS OF POINT SOURCES SUBJECT TO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

### Proposed Forms and Guidelines

Notice is hereby given that the forms and guidelines set forth in tentative form below are proposed by the U.S. Environmental Protection Agency. The proposed forms, instructions, and guidelines describe, pursuant to the authority contained in section 304(h) (1) of the Federal Water Pollution Control Act Amendments of 1972 (86 Stat. 816; 33 U.S.C. 1251) (hereinafter referred to as the "Act"), requirements for the acquisition of information from certain owners and operators of point sources subject to the National Pollutant Discharge Elimination System.

Section 402 of the Act creates a National Pollutant Discharge Elimination System (hereinafter referred to as the "NPDES") under which the Administrator of the Environmental Protection Agency may, after opportunity for public hearing, issue permits for the discharge of any pollutant or combination of pollutants, upon condition that such discharge will meet all applicable requirements of the Act including effluent limitations, water quality standards, new source performance standards, toxic and pretreatment effluent standards, inspections, monitoring and entry provisions, and guidelines establishing ocean discharge criteria. Section 402 also provides that States desiring to administer their own permit program may submit a full and complete description of such a program to the Administrator for approval. The Administrator is to approve a State's program, and suspend issuance of permits under section 402, except with respect to Federal agencies and instrumentalities, unless he determines that the State does not possess adequate authority to perform certain acts detailed in 402(b) of the Act. The State also must have an approved continuing planning process under section 303(e) of the Act before approval of its permit program can be granted. In addition to these requirements, a State permit program cannot be approved unless it conforms to guidelines issued under section 304(h) of the Act prescribing minimum procedural and other elements of any State program under section 402. These latter guidelines were published in final form in the FEDERAL REGISTER on Friday, December 22, 1972, 37 FR 28390 (1972).

Section 402(k) of the Act requires all owners or operators of point sources to apply for a permit to discharge pursuant to section 402 within 180 days of the date of enactment if the discharge is not to be a violation of the Act. Section 304(h) (1) directs the Administrator to promulgate guidelines for the acquisition of information from owners and operators of point sources of discharge subject to any State program under section 402. These

guidelines, which are the subject of this notice, include two application standard forms, and guidelines and instructions for the use of the forms.

The two forms correspond to the type of discharge as follows:

Standard Form A—Municipal  
Standard Form C—Manufacturing and Commercial

The proposed forms are referred to as "standard" forms to distinguish them from the four "short" forms previously published for comment in the FEDERAL REGISTER on December 5, 1972 (37 FR 25898). The short forms are to be submitted by all owners and operators of point sources subject to the Act (other than those owners and operators who have submitted complete Refuse Act applications) to satisfy the initial NPDES filing requirements, which include the filing of the appropriate short form within the 180-day period. In many cases, however, the data submitted in the short form will not be sufficient for the proper determination of applicable guidelines and requirements, and additional information and analyses will be required of the applicant. In most cases the additional information requirements will be satisfied by the submission of the appropriate standard form.

Applicants submitting short form A (relating to municipal wastewater treatment facilities) will be required to complete and submit standard form A if any of the following are indicated:

1. The discharges from the facility have a total volume of more than 5 million gallons on any day of the year;
2. The facility serves a population in excess of 10,000; or
3. The facility receives wastes from an industrial user and such wastes (a) have a total volume of more than 50,000 gallons on any day of the year, (b) contain toxic pollutants, (c) have a total volume which constitutes more than 1 percent of the volume of the total discharge from the facility on any day of the year, or (d) in combination with other discharges into the facility interfere with the operation of the facility or adversely affect the quality of the discharge from the facility.

Applicants submitting short form C (relating to manufacturing establishments and mining) or short form D (relating to services, wholesale and retail trade, and all other commercial establishments, including vessels, not engaged in manufacturing or agriculture) will be generally required to complete and submit standard form C if any of the following are indicated:

1. The discharges from the facility have a total volume of more than 50,000 gallons on any day of the year;
2. The discharge affects the waters of any State other than the State of origin; or,
3. The discharge contains or may contain toxic pollutants.

A standard form must be submitted if any of the above criteria are indicated. In addition, a standard form must be submitted if either the EPA Regional Administrator or the Director of a State

agency participating in the NPDES determines that the submission of the standard form is necessary in order to determine whether or not and upon what conditions a permit should be issued for the discharges identified in the short form.

If the standard form is to be submitted to the EPA Regional Office, a fee of \$100 will be required in connection with each standard form which involves no more than one outlet from which a discharge will flow. If there is more than one outlet from which the discharge will flow, an additional \$50 will be charged for each additional outlet. An applicant with four discharges would pay \$250 (\$100 plus \$150 for the three additional discharges). Agencies or instrumentalities of Federal, State, or local governments will not be required to pay any fee in connection with the filing of either a short or standard application form.

If an applicant is directed to submit a standard form, he may deduct from the filing fee for the standard form the \$10 filing fee paid upon the filing of the application short form. If, for example, the company with four discharges above already filed a short form C, the company may deduct \$10 from the filing fee of \$250. An applicant may, if he chooses, submit a standard form in place of a short form if he otherwise complies with all applicable filing dates and requirements. In the latter case the applicant would submit the appropriate fee for the standard form, without submission or deduction of the \$10 short form fee.

If either the short form or the standard form is to be submitted to a State agency participating in the NPDES, the fees specified above do not apply. In making application to a State agency a discharger shall pay such fees as the State may legally assess.

The interim standard analytical methods and instructions provided in appendix A to standard forms A and C shall be used by applicants pursuant to the instructions provided until the promulgation of guidelines under section 304(g) of the act. Section 304(g) requires, within 180 days of enactment, guidelines establishing test procedures for the analysis of pollutants that shall include the factors which must be provided in any permit application pursuant to section 402 of the act. Following promulgation of the 304(g) guidelines, applicants for section 402 permits shall utilize any applicable test procedures contained in those guidelines for the analysis of pollutants reported in any NPDES application or reporting form, including standard forms A and C proposed herein.

All forms proposed herein are to be used by the Administrator of the Environmental Protection Agency and by approved State programs as a principal means of acquiring information from owners and operators of point sources. The two standard application forms proposed herein and the four application short forms proposed on December 5, 1972, are included within the meaning of the term "NPDES application form" as

that term is used in the guidelines published under section 304(h) (2) of the act.

Prior to the adoption of the proposed forms, instructions, and guidelines, consideration will be given to any comments, suggestions, or objections thereto which are submitted in writing to the Office of Enforcement and General Counsel, Washington, D.C. 20460, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. In addition, interested persons wishing to have their comments considered in the clearance of the proposed revisions in the report forms pursuant to 44 U.S.C. 3501-3511 may, at the same time, submit a conformed copy of their comments directly to the Clearance Officer, Statistical Policy Division, Office of Management and Budget, Washington, D.C. 20530.

WILLIAM D. RUCKELSHAUS,  
Administrator.

APRIL 10, 1973.

#### Sec.

- 126.1 Definitions.
- 126.2 Submission of short form.
- 126.3 Submission of standard form.
- 126.4 Prior submission of Refuse Act application.
- 126.5 Payment of fee upon submission of NPDES forms.

AUTHORITY: Sec. 304(h) (2) of the Federal Water Pollution Control Act, as amended (Public Law 92-500).

#### § 126.1 Definitions.

As used in this part, the following terms shall have the meaning indicated below:

(a) The definitions of the following terms contained in the guidelines issued under section 304(h) (2) of the Federal Water Pollution Control Act, as amended (Public Law 92-500), and published in the FEDERAL REGISTER, on December 22, 1972, 37 FR 28390 (1972), shall be applicable to such terms as used in this part unless the context otherwise requires: "Act," "Refuse Act," "EPA," "Administrator," "Regional Administrator," "Director," "National Pollutant Discharge Elimination System" (referred to herein as NPDES), "NPDES application," "NPDES permit," and "Refuse Act permit."

(b) The definitions of the following terms contained in section 502 of the act shall be applicable to such terms as used in this part unless the context otherwise requires: "State water pollution control agency," (referred to herein as "State," "agency"), "interstate agency," "State," "municipality," "person," "pollutant," "discharge of a pollutant," "point source," "discharge," and "industrial user."

(c) The terms "State," "State agency," or "State program" as used in these guidelines, include, unless the context otherwise requires, interstate agencies and programs.

(d) The term "NPDES application short form" or "short form" means one or more, as appropriate, of the following:

- (1) Short form A—Municipal wastewater dischargers
- (2) Short form B—Agriculture

(3) Short form C—Manufacturing establishments and mining

(4) Short form D—Services, wholesale and retail trade, and all other commercial establishments, including vessels, not engaged in manufacturing or agriculture

(e) The term "NPDES application standard form" or "standard form" means one or more, as appropriate, of the following:

- (1) Standard form A—Municipal
- (2) Standard form C—Manufacturing and commercial
- (f) The term "NPDES application form" includes NPDES application short forms and NPDES application standard forms.

#### § 126.2 Submission of short form.

Except as provided in §§ 126.3(d) and 126.4 below and except as provided by the Administrator in regulations issued under the act, every owner or operator of a point source subject to section 402 of the act shall complete, sign, and submit an NPDES application short form in accordance with the instructions provided with such form to the Regional Administrator, or, if the State in which the point source is located has a program approved pursuant to section 402 of the act, to the Director.

#### § 126.3 Submission of standard form.

(a) If the information submitted by an applicant for an NPDES permit in short form A (relating to municipal wastewater treatment facilities) or any other information available to the Regional Administrator or to the Director indicates any of the following, the applicant shall be required to complete, sign and submit a standard form A:

- (1) The discharges from the facility have a total volume of more than 5 million gallons on any day of the year;
- (2) The facility serves a population in excess of 10,000; or,
- (3) The facility receives wastes from an industrial user and such wastes (i) have a total volume of more than 50,000 gallons on any day of the year, (ii) contain toxic pollutants, (iii) have a total volume which constitutes more than 1 percent of the volume of the total discharge from the facility on any day of the year, or (iv) in combination with other discharges into the facility interfere with the operation of the facility or adversely affect the quality of the discharge from the facility.

(b) If the information submitted by an applicant for an NPDES permit on short form C (relating to manufacturing establishments and mining) or in short form D (relating to services, wholesale and retail trade, and all other commercial establishments, including vessels, not engaged in manufacturing or agriculture) or any other information available to the Regional Administrator or to the Director indicates any of the following, the applicant shall be required to complete, sign, and submit a standard form C:

- (1) The discharges from the facility have a total volume of more than 50,000 gallons on any day of the year;

(2) The discharges affect the water of any State other than the State of origin; or,

(3) The discharges contain or may contain toxic pollutants.

(c) In addition to paragraphs (a) and (b) of this section, an applicant shall complete, sign, and submit the appropriate standard form if either the Regional Administrator or the Director determines that such submission is necessary to determine whether or not and upon what conditions an NPDES permit should be issued for the discharges identified in the short form.

(d) Any applicant may submit a standard form without prior submission of a short form if he complies with all applicable filing dates and requirements.

#### § 126.4 Prior submission of Refuse Act application.

Any applicant who submitted a complete and proper Refuse Act application prior to October 18, 1972, is not required to submit either an NPDES application short form or an NPDES application standard form for the discharge described in the Refuse Act application. Any new or increased discharges of pollutants, however, must be reported in the appropriate NPDES application form. The applicant may be required to file an NPDES application standard form if the Regional Administrator or the Director determines that the previously filed Refuse Act application is so deficient as not to have satisfied the NPDES filing requirements.

#### § 126.5 Payment of fee upon submission of NPDES forms.

(a) Upon submission of an NPDES application short form to the Regional Administrator an applicant shall pay a fee of \$10 per application.

(b) Upon submission of an NPDES application standard form to the Regional Administrator an applicant shall pay a fee of \$100 per application. If there is more than one outlet from which the discharge will flow, an additional \$50 will be charged for each additional outlet.

(c) If an applicant submitting an NPDES application standard form to the Regional Administrator has previously filed an NPDES application short form with the Regional Administrator, he may deduct from the fee submitted with the standard form the amount previously submitted with the short form.

(d) If an applicant submits an NPDES application standard form to the Regional Administrator without prior submission of an NPDES application short form pursuant to § 126.3(d) above, he shall pay the fee specified in paragraph (b) of this section without the submission or deduction of the \$10 fee specified in paragraph (a) of this section.

(e) If an applicant submits an NPDES application to the Director of an approved State program, the fees specified in paragraphs (a) and (b) of this section do not apply. Following approval of its program, a State may establish and collect such fees for the filing of NPDES applications as are proper and valid under its laws.

## PROPOSED RULES

(f) Agencies or instrumentalities of Federal, State, or local governments shall not be required to pay any fee to the Regional Administrator or to the Director of an approved State program in connection with the filing of an NPDES application.

(g) Checks and money orders for the payment of NPDES filing fees to the Regional Administrator shall be made out to the order of "Environmental Protection Agency."

MARCH 15, 1973.

# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM, MUNICIPAL STANDARD FORM A

## APPLICATION FOR PERMIT TO DISCHARGE (STANDARD FORM)

(FORM NO. -----)

### GENERAL INSTRUCTIONS

The Federal Water Pollution Control Act, as amended by Public Law 92-500 enacted October 18, 1972, prohibits any person from discharging pollutants into a waterway from a point source unless his discharge is authorized by a permit issued either by the U.S. Environmental Protection Agency or by an approved State agency. Regulations for the operation of this program are published in the FEDERAL REGISTER as 40 CFR part 125 at (p. —) FR (v. —) (date —), available from the Government Printing Office, Washington, D.C. 20402. Applicants wishing detailed information regarding this form or the permit should refer to this publication. It is expected, however, that for most applicants, the attached cover letter and the general instructions below will provide the information necessary to complete the form.

**Who must apply.**—The owner and operator of any activity or wastewater system, publicly or privately owned, which discharges wastes into a waterway, must obtain a permit for such discharge(s). Where the system is owned by one person but leased to another person for operation, it is the responsibility of the operator to obtain the permit. A separate application is to be submitted for each facility discharging separately which is owned and/or operated by the applicant. Federal departments, agencies, and instrumentalities are also subject to these requirements. For a municipality, a facility is defined as a distinct activity or installation, including connected wastewater transport system, which operates under the control or jurisdiction of a single responsible organization and discharges pollutants from one or more discharge points.

**Application form to be used.**—There are two sets of National Pollutant Discharge Elimination System (NPDES) Forms which are to be used, short forms (A-D) and standard forms (A and C). These instructions are for the standard forms A and C. The standard form requires specific information on the activity or wastewater facility and on each discharge. Depending on the adequacy of the data submitted for determining the issuance

of a permit, additional information and analyses may be required from an applicant. Standard forms are designed for different sources of discharge as follows:

Form A—Municipal Wastewater Systems.

Form C—Manufacturing and Commercial (including mining and vessel discharges).

If the discharge is from a Federal facility's treatment plant receiving more than 50 percent domestic waste (based on the dry weather flow rate), complete standard form A. All other dischargers (including dischargers of domestic waste), with the exception of municipalities and Federal facilities described above, must complete standard form C.

**Signature on application.**—The person who signs the application form will often be the applicant himself; when another person signs on behalf of the applicant, his title or relationship to the applicant should be shown in the space provided. In all cases the person signing the form should be authorized to do so by the applicant. An application submitted by a corporation must be signed by a principal executive officer of at least the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge(s) described in the form originate. In the case of a partnership or a sole proprietorship, the application must be signed by a general partner or the proprietor, respectively. In the case of a municipal, State, Federal, or other public facility, the application must be signed by either a principal executive officer, ranking elected official or other duly authorized employee.

**Attachments and supplemental information.**—Some items in this form may require narrative explanation; for this purpose, use the item labeled "Additional Information"

at the end of sections I and II, or attach a separate sheet entitled "Additional Information." Where a separate sheet is used, be sure it is identified by the name of the applicant, the activity, and the discharge number to which it applies. Also, identify each separate remark by the item number and section of the form to which it refers.

Drawings required in section I should be attached to this application and identified by the name of the applicant and the activity. All other papers and attachments to the application must be similarly identified.

**Use of information.**—Except as specified below, all information contained in this application will, upon request, be made available to the public for inspection and copying. A separate sheet entitled "Confidential Answers" must be used to set out information which the applicant believes if disclosed to the general public would divulge methods and processes entitled to protection as trade secrets. The information must clearly indicate the item number to which it applies. Confidential treatment can be considered only for the information for which a specific written request for confidential treatment has been made on the attached sheet. However, in no event will identification of the contents, volume, and frequency of a discharge be recognized as confidential or privileged information.

**Completion of forms.**—Unless otherwise specified in the detailed instructions, each item in the forms must be answered. To indicate that each item has been considered, enter "NA", for not applicable, where a particular item does not fit the circumstances or characteristics of your operation or activity.

Assistance and advice regarding requirements for filing permit applications can be obtained through contact with your EPA Regional Office or approved State agency.

### ADDRESSES OF EPA REGIONAL OFFICES AND STATES WITHIN THEIR JURISDICTION

Region	Address	State
I.....	Regional Administrator, Region I, Environmental Protection Agency, John F. Kennedy Federal Bldg., room 2303, Boston, Mass. 02203; attention: Permits Branch, 617-223-7210.	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Islands, Vermont.
II.....	Regional Administrator, Region II, Environmental Protection Agency, 26 Federal Plaza, room 903, New York, N.Y. 10007; attention: Permits Branch, 212-264-9895.	New Jersey, New York, Virgin Islands, Puerto Rico.
III.....	Regional Administrator, Region III, Environmental Protection Agency, Curtis Bldg., Sixth and Walnut Sts., Philadelphia, Pa. 19106; attention: Permits Branch, 215-597-9966.	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.
IV.....	Regional Administrator, Region IV, Environmental Protection Agency, 1421 Peachtree St. NE., Atlanta, Ga. 30309; attention: Permits Branch, 404-526-3971.	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
V.....	Regional Administrator, Region V, Environmental Protection Agency, 1 North Wacker Dr., Chicago, Ill. 60606; attention: Permits Branch 312-353-1346.	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.
VI.....	Regional Administrator, Region VI, Environmental Protection Agency, 1600 Patterson St., suite 1100, Dallas, Tex. 75201; attention: Permits Branch, 214-749-1933.	Arkansas, Louisiana, New Mexico, Oklahoma, Texas.
VII.....	Regional Administrator, Region VII, Environmental Protection Agency, 1735 Baltimore Ave., Kansas City, Mo. 64108; attention: Permits Branch, 816-374-5955.	Iowa, Kansas, Missouri, Nebraska.
VIII.....	Regional Administrator, Region VIII, Environmental Protection Agency, 1860 Lincoln St., suite 900, Denver, Colo. 80203; attention: Permits Branch, 303-837-4901.	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.
IX.....	Regional Administrator, Region IX, Environmental Protection Agency, 100 California St., San Francisco, Calif. 94111; attention: Permits Branch, 415-556-3450.	Arizona, California, Hawaii, Nevada, Guam, American Samoa.
X.....	Regional Administrator, Region X, Environmental Protection Agency, 1200 Sixth Ave., Seattle, Wash. 98101; attention: Permits Branch, 206-442-1213.	Alaska, Idaho, Oregon, Washington.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER  
MUNICIPAL

FOR AGENCY USE

## SECTION I. APPLICANT AND FACILITY DESCRIPTION

Unless otherwise specified on this form all items are to be completed. If an item is not applicable indicate 'NA'.

ADDITIONAL INSTRUCTIONS FOR SELECTED ITEMS APPEAR IN SEPARATE INSTRUCTION BOOKLET AS INDICATED. REFER TO BOOKLET BEFORE FILLING OUT THESE ITEMS.

1. Legal Name of Applicant (see instructions)	101	_____
2. Mailing Address of Applicant (see instructions)	102a	_____
Street	102b	_____
City	102c	_____
County	102d	_____
State	102e	_____
Zip Code	102f	_____

I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief such information is true, complete, and accurate.

Printed Name of Person Signing \_\_\_\_\_ Title \_\_\_\_\_

Y R M O DAY \_\_\_\_\_ 102f \_\_\_\_\_  
Date Application Signed Signature of Applicant

18 U.S.C. Section 1001 provides that:

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and wilfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statement or representation, or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

## FOR AGENCY USE

Received Y R M O DAY \_\_\_\_\_

OFFICE: EPA Region Number \_\_\_\_\_  
State \_\_\_\_\_

FOR AGENCY USE

3. Applicant's Authorized Agent:  
(see instructions)

Name and Title  
Street Address  
City  
State  
Zip Code  
Telephone

103a	_____
103b	_____
103c	_____
103d	_____
103e	_____
103f	_____

## 4. Previous Application:

If a previous application for a permit under the National Pollutant Discharge Elimination System has been made, give the date of application.

104 Y R M O DAY \_\_\_\_\_

## 5. Facility (see instructions)

Give the name, ownership, and physical location of the plant or other operating facility where discharge(s) presently occurs or will occur.

Name

105a \_\_\_\_\_

Ownership (Public, Private or both Public and Private).

105b ☐ PUB ☐ PRV ☐ BPP

Check block if a Federal facility and give GSA Inventory Control Number

105c ☐ FED

105d \_\_\_\_\_

Location:

Street Address  
City  
County  
State

105e	_____
105f	_____
105g	_____
105h	_____

## PROPOSED RULES

FOR AGENCY USE

6. Discharge to Another Municipal Facility  
(see instructions)

- a. If part of your discharge is into a municipal waste transport system under another responsible organization, check here, complete the rest of this item and continue with Item 7.

106a ☐ Yesb. Responsible Organization Receiving Discharge

Name

106b

Street Address

106c

City

106d

State

106e

Zip Code

106f

c. Facility Which Receives Discharge

Give the name of the facility (waste treatment plant) which receives and is ultimately responsible for treatment of the discharge from your facility.

106g

d. Average Daily Flow to Facility (mgd)

Give your average daily flow into the receiving facility.

106h \_\_\_\_\_ mgd

FOR AGENCY USE

7. Facility Discharges, Number and Discharge

Volume: (see instructions) Specify the number of discharges described in this application and the volume of water discharged or lost to each of the categories below. Estimate average volume per day in thousand gallons per day. Do not include intermittent or non-continuous overflows, bypasses or seasonal discharges from lagoons, holding ponds, etc.

To: Surface Water

Number of Discharges

Volume Discharged,  
Million Gallons Per Day

Surface Impoundment with no Effluent

107a

Underground Percolation

107b

Well Injection

107c

Other

107d

107e

Total Item 7

107f

If 'other' is specified, describe

107g

If any of the discharges from this facility are intermittent such as from overflow or bypass points or are seasonal or periodic from lagoons, holding pond, etc., complete item 8.



FOR AGENCY USE

8. Intermittent Discharges:

- a. Facility bypass points, Number:  
Indicate the number of bypass points for the facility that are discharge points (see instructions).
- b. Facility Overflow Points, Number:  
Indicate the number of overflow points to a surface water for the facility (see instructions).
- c. Seasonal or Periodic Discharge Points:  
Indicate the number of points where seasonal discharges occur from holding ponds, lagoons, etc.

Number

108a	_____
108b	_____
108c	_____
109	_____

9. Collection System Type:

Indicate the type of collection system used by this facility. (see instructions)

- Separate Storm
- Separate Sanitary
- Combined Sanitary and Storm
- Both Separate Sanitary and Combined Sewer Systems

<input type="checkbox"/> SST
<input type="checkbox"/> SAN
<input type="checkbox"/> CSS
<input type="checkbox"/> BSC

FOR AGENCY USE

10. Municipalities or Areas Served:  
(see instructions)

Total Population Served:

11. Industrial Flow, Average Daily:  
Total estimated average daily waste flow from all industrial sources.

	Name	Actual Population Served
110a	_____	_____
110a	_____	_____
110a	_____	_____
110a	_____	_____
110a	_____	_____
110b	_____	_____
111	_____	_____

Note: All major industries (as defined in Section IV) discharging to the municipal system must be listed in Section IV.

12. Permits, Licenses and Applications:

List all existing, pending or denied permits, licenses and applications (see instructions).

Issuing Agency	FOR AGENCY USE	Type of Permit or License	ID NUMBER	Date Filed YR/MO/DA	Date Issued YR/MO/DA	Date Denied YR/MO/DA	Expiration Date YR/MO/DA
112a							
112a							
112a							
112a							

13. Maps and Drawings:

Attach all required maps and drawings (see instructions).

## PROPOSED RULES

FOR AGENCY USE

## 14. Additional Information

114	Item Number	Information

FOR AGENCY USE

## SECTION II MUNICIPAL DISCHARGE DESCRIPTION

Complete this section for each present or proposed discharge. Separate descriptions of each discharge are required even if several discharges originate in the same facility. All values for an existing discharge should be representative of the last year of operation. If this is a proposed discharge, values should reflect best engineering estimates.

ADDITIONAL INSTRUCTIONS FOR SELECTED ITEMS APPEAR IN SEPARATE INSTRUCTION BOOKLET AS INDICATED. REFER TO BOOKLET BEFORE FILLING OUT THESE ITEMS.

1.a. Discharge Serial No. (see instructions)	201a	_____
b. Discharge Name (see instructions)	201b	_____
c. Previous Discharge Serial No. If a previous permit application was made for this discharge (Item 4, Section I) provide previous discharge serial number.	201c	_____
2.a. Discharge to Begin Date. If the discharge has never occurred but is planned for some future date, give the date the discharge will begin.	202a	Y R M O
b. Discharge to End Date. If discharge is scheduled to be discontinued within the next 5 years, give the date (within best estimate) the discharge will end.	202b	Y R M O

Dis charge Serial Number

FOR AGENCY USE

3. Discharge Location. Name the political boundaries within which the point of discharge is located:

State \_\_\_\_\_  
 County \_\_\_\_\_  
 (if applicable) City or Town \_\_\_\_\_

4. a. Discharge Point Description  
 (See Instructions)  
 Discharge is into (check one)  
 Stream (includes ditches, arroyos, and other watercourses) \_\_\_\_\_  
 Estuary \_\_\_\_\_  
 Lake \_\_\_\_\_  
 Ocean \_\_\_\_\_  
 Well (Injection) \_\_\_\_\_  
 Other \_\_\_\_\_

- b. If 'other' is checked, specify \_\_\_\_\_

203a	_____	FOR AGENCY USE
203b	_____	
203c	_____	

204a	STR _____
	EST _____
	LKE _____
	OCE _____
	WEL _____
	OTH _____
204b	_____

Dis charge Serial Number

FOR AGENCY USE

5. Discharge Point - Lat/Long.  
 State the precise location of the point of discharge to the nearest second.  
 (see instructions)

Latitude \_\_\_\_\_  
 Longitude \_\_\_\_\_

6. Discharge Receiving Water Name  
 Name the waterway at the point of discharge (see instructions)

If the discharge is through an outfall that extends beyond the shoreline or is below the mean low water line. Complete Item 7.

7. a. Discharge Distance from Shore:

- b. Discharge Depth Below Water Surface:

205a	_____ DEG. _____ MIN. _____ SEC									
205b	_____ DEG. _____ MIN. _____ SEC									
205a	<table border="1"> <tr> <th colspan="3">FOR AGENCY USE</th> </tr> <tr> <td>Major</td> <td>Minor</td> <td>Sub</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	FOR AGENCY USE			Major	Minor	Sub			
FOR AGENCY USE										
Major	Minor	Sub								
207a	_____ feet									
207b	_____ feet									

If discharge is from a bypass or an overflow point or is a seasonal discharge from a lagoon, holding pond, etc., complete item 8, 9 or 10, whichever is applicable, and continue with Item 11.

## PROPOSED RULES

Discharge Serial Number

FOR AGENCY USE

## 8. Bypass Discharge (see instructions)

## a. Bypass Occurrence:

Check when bypass occurs.

Wet weather  
Dry weather208a1 Yes No  
208a2 Yes No

## b. Bypass Frequency, Number

Incidents Per Year: Give  
the number of bypass  
incidents per year.Wet weather  
Dry weather208b1  
208b2

## c. Bypass Duration, Hours:

Give the average bypass  
duration in hours.Wet weather  
Dry weather208c1 hours  
208c2 hoursd. Bypass Volume per Incident:  
Give the average volume per  
bypass incident, in thousand  
gallons.Wet weather  
Dry weather208d1 thousand gallons  
208d2 thousand gallonse. Bypass Reasons: Give reasons  
why bypass occurs.

208e

Proceed to Item 11.

## 9. Overflow Discharge (see instructions)

a. Overflow Occurrence: Check when  
overflow occurs.Wet weather  
Dry weather209a1 Yes No  
209a2 Yes No

Discharge Serial Number

FOR AGENCY USE

b. Overflow Frequency, Number  
of Incidents Per Year: Give  
the number of overflow  
incidents per year.Wet weather  
Dry weather209b1  
209b2c. Overflow Duration, Hours:  
Give the average overflow  
duration in hours.Wet weather  
Dry weather209c1 hours  
209c2 hours

## d. Overflow Volume Per Incident:

Give the average volume per  
overflow incident in thousand  
gallons.Wet weather  
Dry weather209d1 thousand gallons  
209d2 thousand gallons

Proceed to Item 11.

## 10.a. Seasonal/Periodic Discharges, Number

Per Year: If discharge is inter-  
mittent from a holding pond,  
lagoon, etc., give the number of  
discharges per year.

210a per year

b. Seasonal/Periodic Discharge Average  
Volume per Discharge: Give the  
average volume per discharge in  
thousand gallons210b thousand gallons  
per discharge

Discharge Serial Number

FOR AGENCY USE
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<p>c. <u>Seasonal/Periodic Discharge Duration:</u> Give the average duration of the discharge in days.</p> <p>d. <u>Seasonal/Periodic Discharge Occurrence:</u> Months: Check the months during the year when the discharge occurs.</p> <p>11.a. <u>Discharge Treatment Description:</u> Describe waste abatement practices used on this discharge with a brief narrative. (See Instructions)</p> <p>b. <u>Discharge Treatment Codes:</u> Using the codes listed in Table I of the Instruction Booklet, describe the waste abatement processes applied to this discharge in the order in which they occur, if possible.</p>	<p>210: _____ days</p> <p>2101 JAN.; FEB.; MAR.; APR.; MAY; JUN.; JUL.; AUG.; SEP.; OCT.; NOV.; DEC.</p> <p>21.a _____ _____ _____</p> <p>21.b</p> <table border="1" style="width: 100%; text-align: center;"> <tr> <td>(1)</td><td>(2)</td><td>(3)</td><td>(4)</td> </tr> <tr> <td>(5)</td><td>(6)</td><td>(7)</td><td>(8)</td> </tr> <tr> <td>(9)</td><td>(10)</td><td>(11)</td><td>(12)</td> </tr> <tr> <td>(13)</td><td>(14)</td><td>(15)</td><td>(16)</td> </tr> <tr> <td>(17)</td><td>(18)</td><td>(19)</td><td>(20)</td> </tr> <tr> <td>(21)</td><td>(22)</td><td>(23)</td><td>(24)</td> </tr> </table>	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)
(1)	(2)	(3)	(4)																						
(5)	(6)	(7)	(8)																						
(9)	(10)	(11)	(12)																						
(13)	(14)	(15)	(16)																						
(17)	(18)	(19)	(20)																						
(21)	(22)	(23)	(24)																						

Discharge Serial Number

FOR AGENCY USE
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If this discharge is from a municipal waste treatment plant (not an overflow or bypass), complete items 12 and 13.

<p>12. <u>Plant Design and Operation Manuals:</u> Check which of the items below are available.</p> <p>a. Engineering Design Report</p> <p>b. Operation and Maintenance Manual</p> <p>13. <u>Plant Design Data</u> (see instructions)</p> <p>a. <u>Plant Design Flow (MGD)</u></p> <p>b. <u>Plant Design BOD Removal (%)</u></p> <p>c. <u>Plant Design N Removal (%)</u></p> <p>d. <u>Plant Design P Removal (%)</u></p> <p>e. <u>Plant Design SS Removal (%)</u></p> <p>f. <u>Plant Began Operation (year)</u></p> <p>g. <u>Plant Last Major Revision (year)</u></p>	<p>212a _____</p> <p>212b _____</p> <p>213a _____</p> <p>213b _____</p> <p>213c _____</p> <p>213d _____</p> <p>213e _____</p> <p>213f _____</p> <p>213g _____</p>
--	--

Discharge Serial Number

FOR AGENCY USE

Discharge Serial Number

FOR AGENCY USE

## 14. Description of Influent and Effluent (See instructions)

PARAMETER AND CODE	INFLUENT		EFFLUENT				SAMPLE TYPE
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Flow (Million Gallons per day)							
pH (Units)							
Temperature (Winter) (°F)							
Temperature (Summer) (°F)							
Fecal Streptococci (number/100ml)							
Bacteria (number/100ml)							
Fecal Coliform (number/100ml)							
Bacteria (number/100ml)							
Total Coliform (number/100ml)							
Bacteria (number/100ml)							
B.O.D. 5-Day (mg/l)							
Chemical Oxygen Demand (C.O.D.) (mg/l)							
OF							
Total Organic Carbon (T.O.C.) (mg/l)							
(Either analysis is acceptable if available. Circle the one used.)							

## 14. Description of Influent and Effluent (See instructions) (Continued)

PARAMETER AND CODE	INFLUENT		EFFLUENT				SAMPLE TYPE
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total Solids (mg/l)							
Total Dissolved Solids (mg/l)							
Total Suspended Solids (mg/l)							
Settleable Matter (mg/l)							
Ammonia (as N) (mg/l)							
Kjeldahl Nitrogen (mg/l)							
Nitrate (as N) (mg/l)							
Nitrite (as N) (mg/l)							
Phosphorus Total (as P) (mg/l)							
Dissolved Oxygen (DO) (mg/l)							



FOR AGENCY USE

Discharge Serial Number

15. Check the box next to each parameter if it is present in the effluent. Do not check the box for substances which are present in trace quantities (e.g., levels normally found in the drinking water supply).

PARAMETER	PRESENT	PARAMETER	PRESENT	PARAMETER	PRESENT
Bromide 71870		Chromium 01034		Thallium 01059	
Chloride 00940		Copper 01042		Titanium 01152	
Cyanide 00720		Iron 01045		Tin 01102	
Fluoride 00951		Lead 01051		Zinc 01092	
Aluminum 01105				Algalicides <sup>a</sup> 74051	
Antimony 01097		Manganese 01055		Chlorinated Organic Compounds <sup>a</sup> 74052	
Arsenic 01002		Mercury 71900		Pesticides <sup>a</sup> 74053	
Beryllium 01012		Hydronium 01062		Oil and Grease 00550	
Barium 01007		Nickel 01067		Phenols 32730	
Boron 01022		Selenium 01147		Surfactants 38260	
Cadmium 01027		Silver 01077		Radioactivity <sup>a</sup> 74050	
Cobalt 01017					
<p><sup>a</sup> Provide specific compound and/or element in Item 17, if known.</p> <p>Pesticides (Insecticides, fungicides, and rodenticides) must be reported in terms of the acceptable common names specified in Acceptable Common Names and Chemical Names for the Ingredient Statement on Pesticide Labels, 2nd Edition, Environmental Protection Agency, Washington, D.C. 20250, June 1972, as required by Subsection 102.7(b) of the Regulations for the Enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act</p>					

FOR AGENCY USE OF

- 216

 APS

ALM

217	Item Number	Information

**FOR AGENCY USE**

**301a**

\_\_\_\_\_ LOC  
 \_\_\_\_\_ ARE  
 \_\_\_\_\_ BAS  
 \_\_\_\_\_ SQS  
  
 \_\_\_\_\_ WQS  
 \_\_\_\_\_ ENF  
 \_\_\_\_\_ CRT  
 \_\_\_\_\_ FED

- 301b

- Implementation Description.**  
Specify the 3-character code of those listed in Table II, that best describes the general action of constructing improvements required by the implementation schedule. If more than one schedule applies to the facility because of a staged construction schedule, state the stage of construction being described here with the appropriate general action code.

FOR AGENCY USE

Submit a separate Section III for each stage of construction planned. Also, list all the 3-character (Specific Action) codes which describe in more detail the pollution abatement practices that the implementation schedule requires.

3-character (general) action description

301c

3-character (specific) action descriptions

301d

## 2. Implementation Schedule and 3. Actual Completion Dates

Provide dates imposed by schedule and any actual dates of completion for implementation steps listed below. Indicate dates as accurately as possible. (See Instructions)

Implementation Steps	2. Schedule (Yr./Mo./Day)	3. Actual Completion (Yr./Mo./Day)
a. Preliminary plan complete	3 02a	303a
b. Final plan complete	3 02b	303b
c. Financing complete	3 02c	303c
d. Site acquired	3 02d	303d
e. Begin construction	3 02e	303e
f. End construction	3 02f	303f
g. Begin Discharge	3 02g	303g
h. Operational level attained	3 02h	303h

FOR AGENCY USE

## SECTION IV - INDUSTRIAL WASTE CONTRIBUTION TO MUNICIPAL SYSTEM

Submit a description of each major industrial facility discharging to the municipal system, using a separate Section IV for each facility description. Indicate the 4 digit Standard Industrial Classification (SIC) Code for the industry, the major product or raw material, the flow (in thousand gallons per day), and the characteristics of the wastewater discharged from the industry into the municipal system. Consult Table III for standard measures of products or raw materials. (see instructions).

### 1. Major Contributing Facility:

(See Instructions)  
Name  
Street  
City  
County  
State  
Zip Code

401a  
401b  
401c  
401d  
401e  
401f  
402

### 2. Primary Standard Industrial Classification Code: (See Instructions)

### 3. Principal Product or Raw Material:

(See Instructions) Product  
Raw Material

403a 403c 403e  
403b 403d 403f

### 4. Flow. Indicate the volume of water discharged into the municipal system in thousand gallons per day and whether this discharge is intermittent or continuous.

404a thousand gallons per day

404b ☐ Intermittent ☐ Continuous

### 5. Pretreatment Provided: Indicate if pretreatment is provided prior to entering the municipal system.

405 ☐ Yes ☐ No

### 6. Characteristics of waste water: (See instructions)

Parameter Name									
Parameter Number									
Value									

## INSTRUCTIONS FOR INDIVIDUAL ITEMS

SECTION I. APPLICANT AND FACILITY  
DESCRIPTION: MUNICIPAL

1. *Legal name of applicant.*—This term applies to the person, agency, firm, or other entity which owns or is responsible for any waste treatment works, interceptor systems, or any facility/activity conducting operations that result or may result in a discharge of pollutants to a waterway. This may or may not be the same name as the facility or activity producing the discharge. Enter the name of the applicant as it is officially or legally referred to, e.g., Doddsonville, Department of Public Works; Metropolitan Sanitary Commission. Do not use colloquial names as a substitute for the official name.

2. *Mailing address of applicant.*—Use the complete mailing address of the applicant's main offices. This often will not be the same address as is used to designate the location of the work or activity (see item 5).

3. *Applicant's authorized agent.*—Give the name of person who is thoroughly familiar with the facts reported on the forms and who can be contacted by the environmental protection agency, State offices, and other agencies involved in permit application processing and review.

The person named, although not necessarily the same as the signing official, is also subject to the provisions of law quoted below the signature line on the first page of this form.

5. *Discharge facility/activity.*—A facility is a distinct activity or installation, including connected transport systems, which operates under the control or jurisdiction of a single responsible organization and discharges pollutants from one or more discharge points. Name the facility/activity as it is officially or legally referred to in order to distinguish it from similar entities, if any, in the same geographical area. Do not use colloquial names as a substitute for the official name. Enter the address where the facility is located.

6.b. *Responsible organization receiving discharge.*—If part of your discharge is into a municipal waste transport system under a responsible organization other than the one responsible for your facility, give the name and mailing address of that responsible organization. If you discharge to more than one other system, provide the appropriate data of items 6b, 6c, and 6d on additional sheets. If exact flows to these other systems are not known, provide best estimates.

c. *Facility which receives discharge.*—Give the name of the waste treatment facility that ultimately treats the discharged waste from your facility.

7. *Facility discharges number and facility discharge volume.*—If the discharge is directly to land, use category "Surface impoundment with no effluent," "Underground percolation," or if to a surface which drains into a waterway, "Surface water."

A "continuous" discharge is one which occurs without interruption throughout the operating hours of the facility. An "intermittent" discharge is one which occurs and ceases at regular or irregular intervals either during or outside of the operating hours of the facility.

*Surface water.*—Water other than subterranean water, e.g., streams, estuaries, lakes, oceans, rivers.

*Surface impoundment with no effluent.*—A manmade holding pond or basin large enough to contain all wastes discharged which allows evaporation without percolation into the ground and has no overflow.

*Underground percolation.*—The movement or flow of water through the interstices or the pores of soil or other porous medium.

*Well injection.* This code is to be used for injection of wastes into a well.

8.a. *Facility bypass points, number.*—Bypass—an arrangement of pipes, conduits, gates, and valves whereby all or a portion of the flow is diverted and results in a discharge.

Indicate the number of bypass points that result in point discharges. Do not include any bypasses that are continuous; continuous bypasses are to be included in section II, item 8. A section II must be completed for each bypass point.

b. *Overflow.*—An overflow occurs when the volume of water exceeds the capacity of a transport system causing the extra water to be spilled or forced out of the system into a waterway.

9. *Collection system type.*—*Separate storm.*—A separate collection system of pipes that carry only runoff from buildings and land caused by precipitation.

*Separate sanitary.*—A separate collection of pipes that carries:

(1) Domestic wastewater with storm and surface water excluded.

(2) Wastewater discharged from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, industrial plants, or institutions.

(3) The water supply of a community after it has been used and discharged into a sewer.

*Combined sanitary and storm.*—A system of pipes which carry a mixture of storm water runoff, surface water runoff and other wastewater such as domestic or industrial wastewater.

10. *Municipalities or areas served.*—Enter the names of the municipalities or areas served by this facility and for each enter the actual population served. If there is another

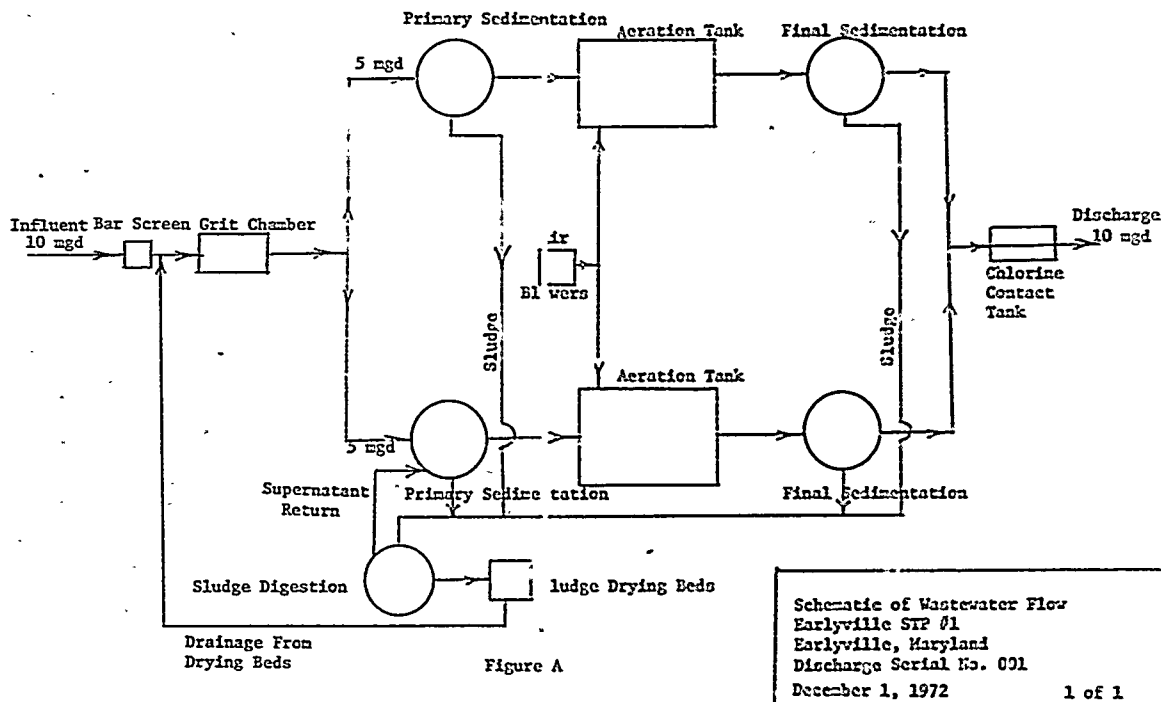
sewer authority discharging into this facility, give the name of that authority and the actual population it serves. Do not include communities served by that sewer authority.

12. *Permits: Licenses and applications.*—List all existing permits and licenses or permit and license applications granted, denied or requested from Federal, interstate, State or local agencies for any discharge described in this application. Examples: A permit to discharge issued by a State water control office.

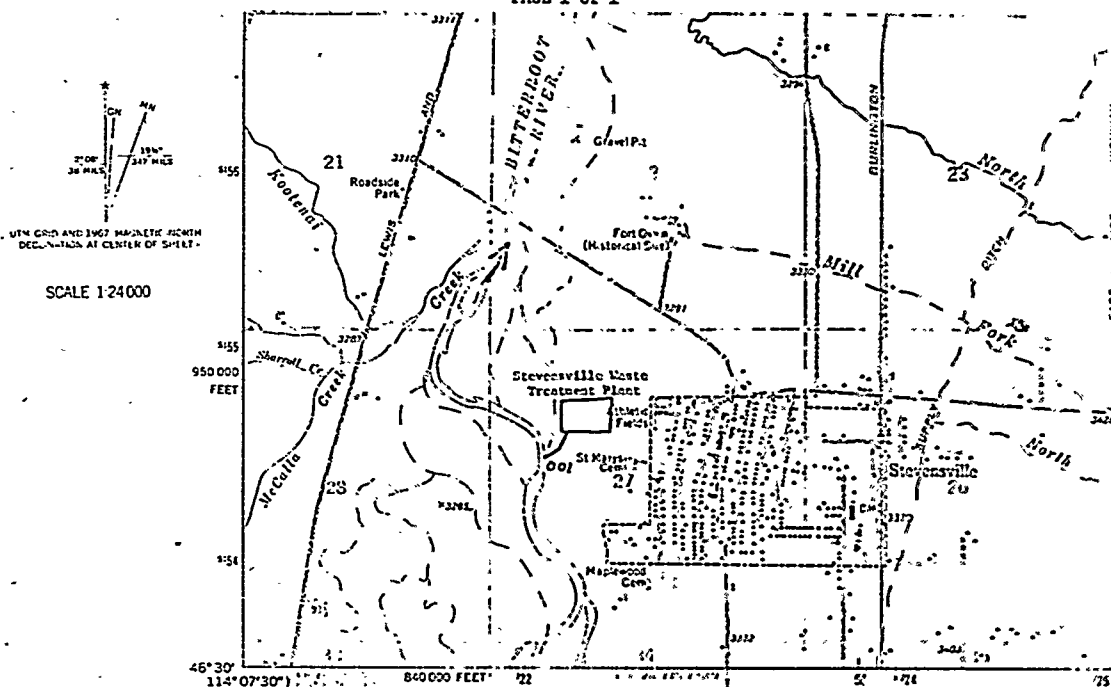
13. *Required maps and drawings.*—A "schematic of water flow" and a "location map" are required with this application. All maps and drawings should be either on paper or other material suitable for reproduction. If possible, all sheets should be approximately letter size with margins suitable for filing and binding. As few sheets should be used as necessary to show clearly what is involved. All discharge points should be identified with the discharge serial numbers used in section II of this application. All sheets should include a title which includes applicant's name, facility location, date of drawing and designation of number of sheets as "page ---- of ----".

(a) *Schematic of waste water flow.*—A line drawing of wastewater flow through the facility producing discharges must be attached to this application. Average flow rates should be shown for various wastewaters if possible. Specific treatment processes are to be indicated. The title is to be headed by the statement "Schematic of Wastewater Flow". An example of the drawing required is shown in figure A.

(b) *Location map.*—A map showing the location of each discharge structure, including any and all outfall devices, dispersal devices, and nonstructural points of discharge, must be attached to this application. The usual meridian arrow showing north as well as the map scale must be shown. On all maps of rivers, the direction of the current is to be indicated by a suitable arrow. In tidal waters, the directions of the ebb and flow tides are to be shown. Maps may be traced from a coast survey, lake survey or geological survey chart, road map, or other general map and must bear a note showing the number of title of such map or chart (e.g., "Traced from U.S. Coast Survey Chart 272.") The name of the waterway and the names of the towns and prominent points are to be placed on this map and identified. The location of each existing and proposed discharge structure must be clearly identified using the discharge serial number specified in section II of this application. The title is to be headed by the statement "Location Map." An example of the application map is shown in figure B.



"LOCATION MAP"  
FROM U.S. GEOLOGICAL SURVEY MAP, 1961  
STEVENSVILLE WASTE TREATMENT PLANT  
CITY, COUNTY, STATE  
MARCH 9, 1972  
PAGE 1 of 1



## SEC. II—BASIC DISCHARGE DESCRIPTION: MUNICIPAL

A separate section II must be submitted for each unique discharge, including overflow and bypass points. A unique discharge is defined as having a specific location and a specific activity or process causing the discharge.

1. *Discharge serial number.*—(a) Assign a three-digit number beginning with 001 for the point of discharge covered by the first description. Discharge serial numbers must be consecutive for each additional discharge described; hence, the second serial number would be 002, the third 003, etc. Enter this number at the top of each page of section II in the space provided.

(b) *Discharge point name.*—Give the name of the discharge point which distinguishes this discharge point from all other discharge points from the facility, e.g., Ursus Creek Discharge; Varga STP Outfall No. 2: Do not use colloquial terms.

(c) *Previous discharge serial number.*—If application for a national or Federal permit was made previously for this discharge (see item 4, sec. I), supply the serial number assigned for this discharge.

4. *Discharge point description.*—See instructions for section I, item 7.

5. *Discharge point—latitude/longitude.*—State the precise location where the effluent from the discharge reaches the waterway. If the discharge is an overflow point, give the point where the overflow occurs. If the discharge is to a dry waterway, give the point where the discharge hits the waterway.

6. *Discharge receiving water name.*—Use the name of the waterway by which it is usually designated on published maps of the area. If possible, refer to one of the map series published by the U.S. Geological Survey. If the discharge is to an unnamed tributary, please so state; and give the name of the first body of water fed by that tributary which is named on the map, e.g., Unnamed ditch to Vaughan Creek. Unnamed arroyo to Serpent River, where Serpent River is the first waterway that is named on the map and is reached by the discharge.

8. *Bypass.*—See definition in instructions for section I, item 8.

9. *Overflow.*—See definition in instructions for section I, item 8.

11. *Waste abatement practices.*—(a) *Discharge treatment description.*—Provide in this space a brief narrative description of the waste abatement practices currently in use which affect this discharge. Example: Treatment consists of primary sedimentation using clarifiers, followed by biological treatment using activated sludge, followed by secondary clarification and chlorination. Sludge is treated by digestion and vacuum filtration. Final sludge disposal is by incineration.

(b) *Discharge treatment codes.*—Describe the wastewater abatement procedures for this discharge using the lettered codes for abatement practices which are listed in Table I. As much as possible list the codes in the sequence in which the wastewater abatement procedures are applied at this facility for this discharge.

13. *Plant design data.*—(a) *Plan design flow.*—Enter the flow in millions of gallons per day (Mgal/d), to three decimal places, for which this facility was designed, e.g., 3.120 translates to three million one hundred twenty thousand gallons per day.

(b) *Plant design BOD removal (percent).*—Enter as a percentage the 5-day BOD which the plant is designed to remove from the wastewater.

(c) *Plant design N removal (percent).*—Enter as a percentage the nitrogen which the plant is designed to remove from the wastewater.

(d) *Plant design P removal (percent).*—Enter as a percentage the phosphorus which the plant is designed to remove from the wastewater.

(e) *Plant design SS removal (percent).*—Enter as a percentage the suspended solids which the plant is designed to remove from the wastewater.

14. *Description of influent and effluent.*—For each of the parameters listed, enter in the appropriate box the value or code letter answer required. Values must be representative of the discharge during its last year of operation or represent best engineering estimates for proposed discharges. For facilities that have not been in operation for 1 year, data reported should represent the existing period of record with a note to that effect. Detailed instructions for completing particular column are provided below. Please report in units as specified. Values do not need to be supplied for boxes that have been crossed out.

Where it is indicated that parameter values are to be provided if available, this information shall be supplied if a sampling and analysis program on these parameters has been initiated or, in the case of new facilities, where an engineering determination has been made.

*Column 1—influent annual average value.*—Supply the average of all daily values during the year for the influent before treatment.

*Column 2—annual average value.*—Supply the average of all daily values during the year when discharge actually is, or is expected to be operating (if a new discharge). If a discharge occurs irregularly, the value supplied in this column should represent an average for the days the discharge actually occurs.

*Column 3—lowest monthly average value.*—Supply the lowest of the 12 monthly average values for the preceding year. The monthly average value is the arithmetic mean of the daily values in a 1-month period.

*Column 4—highest monthly average value.*—Supply the highest of the 12 monthly average values for the preceding year. The monthly average value, except for bacteria, is the arithmetic mean of the daily values in a 1-month period. The monthly average value of bacteria is the geometric mean of the daily values in a 1-month period.

*Column 5—frequency of analysis.*—Specify the frequency of analysis for each parameter as number of analyses per number of days (e.g., "3/7" is equivalent to three analyses performed every 7 days). If continuous, enter "CONT". When analyses are conducted on more than one individual grab sample which are collected during the same day, the analysis frequency should be reported as one analysis whose value is the average of the individual grab sample measurements.

*Column 6—number of analyses.*—Specify the number of analyses performed during the last year of operation at the average frequency specified in column 5 up to 365.

*Column 7—sample type.*—Specify sample type as follows:

G For grab sample (individual sample collected in less than 15 minutes).

#C For composite sample "#" is to be replaced by the average number of hours over which the composite sample was collected. Composite samples are combinations of individual samples obtained at intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is inversely proportional to the flow rates over the time period used to produce the composite.

NA If "CONT" was entered in column 5.

*Analytical methods.*—Appendix A contains all parameters with their reporting levels, test descriptions and references. The parameter values can be determined either by use of one of the standard analytical methods as described in Table A or by methods previously approved by the EPA Regional Administrator or Director of a federally approved State program (or their authorized representatives) which has jurisdiction over the State in which the discharge occurs. If the test used is not one shown in Table A, the test procedure should be referenced in item 17 or on a separate sheet. If values are determined to be less than the detectable limit (as determined by references on standard analytical techniques and/or instrument manufacturer's literature), specify "LT (value of detectable limit)" in the appropriate space. For example, if the detectable limit is .005 mg/l and quantities of less than this are determined, specify "LT .005". Do not enter descriptors such as "NIL", "TRACE", "NEG", etc., for this purpose.

In order for values reported to be representative, it is recommended that they be based on daily composited examples (if applicable) taken over at least 1 week during period of maximum flow, if possible. If samples are taken at periods of less than maximum flow, state in item 17 the percent of maximum flow that was obtained during the sampling period.

15. Indicate by an "X" in the appropriate box those chemical constituents known to be present in the effluent. This determination can be based on any analyses that had been performed on this discharge.

## SEC. III.—SCHEDULED IMPROVEMENTS AND SCHEDULES OF IMPLEMENTATION

1. *Improvements—authority imposing requirement.*—Locally developed plan.—A schedule developed at the county or municipal or Federal facility level.

*Areawide plan.*—A schedule developed by a metropolitan authority or other agency formed by local or municipal governments, e.g., Greater Washington area.

*Basin plan.*—A schedule developed by a river basin commission, or other body having authority over a watershed area, e.g., Delaware River Basin, Potomac River Basin.

*State approved implementation schedule.*—A plan imposed to achieve compliance with State water quality standards for intrastate waters or by a permit or equivalent document issued by a State water pollution control agency.

*Federal approved water quality standards implementation plan.*—A schedule imposed to achieve compliance with water quality standards approved by the Environmental Protection Agency or by its predecessors, the Federal Water Quality Administration, and the Federal Water Pollution Control Administration.

*Federal enforcement procedures or actions.*—A schedule imposed by an enforcement conference held under section 10(a) of the Federal Water Pollution Control Act prior to the date of enactment of the FWPCA amendments of 1972.

*State court order.*—A schedule imposed in an order or settlement issued or approved by a State court of law.

*Federal court order.*—A schedule imposed in an order or settlement issued or approved by a court of the United States.

2. *Implementation schedule and actual completion dates.*—Supply the following dates as they are applicable to the implementation schedule (plan) being described:

a. *Preliminary plan complete.*—The date the preliminary engineering plans are complete.

b. *Final plan complete.*—The date the final engineering plans are complete.

c. *Financing complete.*—The date all financing arrangements are to be completed.

d. *Site acquired.*—The date the land to be used for the treatment works is to be acquired.

e. *Begin construction.*—The date the construction to be scheduled to begin.

f. *End construction.*—The date the construction is scheduled to be completed.

g. *Begin discharge.*—The date the discharge is scheduled to start operating after the implemented action has been completed.

h. *Operational level attained.*—The date the effluent level is scheduled to meet the conditions imposed by the implementation plan.

3. *Actual completion.*—Supply actual completion dates for those steps of the implementation schedules which have been completed.

#### SEC. IV—INDUSTRIAL WASTE CONTRIBUTION TO MUNICIPAL SYSTEM

Each municipal facility is required to complete a separate section IV for each major industrial facility discharging wastes into the municipal system. This includes industrial wastes which are discharged into another collection system that is served by the collection and/or treatment system for which this permit application is being filed. It is the responsibility of the applicant to obtain the required information on any major industrial contributors to his facility, including those contributing via another system. Actual data should be provided if available. If actual data is not immediately available, section IV should be marked "Interim" and a best estimate should be provided with a statement indicating the amount of time required to provide the actual information. Filing the permit application should not be delayed beyond the filing deadline for completion of section IV. However, any missing information is to be submitted when available. If certain of the requested information does not apply, it should be marked "N.A."

A major contributing industry is considered to be one that has or could have significant impact on the municipal wastewater treatment facility receiving the waste or upon the quality of effluent from that treatment facility. Specifically, a major contributing industry is defined as one that (1) has a flow of 50,000 gallons or more per average work day; (2) has a flow greater than 1 percent of the total flow carried by the municipal system receiving the waste, or (3) has a toxic material in its discharge. It may be necessary to alter these administrative criteria in certain cases, such as an instance where two or more contributing industries in combination can produce an undesirable effect on either the municipal facility or the quality of its effluent.

1. *Major contributing facility.*—Give the name and the address that designates the location of the facility.

2. *Primary standard industrial classification code.*—Using four digit standard industrial classification (SIC) codes, indicate the type of industrial facility described in this section IV, that is discharging into the municipal system covered by this application.

Standard industrial classification (SIC) code numbers and descriptions may be found in the 1972 edition of the "Standard Industrial Classification Manual" prepared by the Executive Office of the President, Office of Management and Budget, which is available from the Government Printing Office, Washington, D.C. Do not use previous editions of the manual. Copies are also available for ex-

amination at your State water pollution control office, Regional Offices of the Environmental Protection Agency, and at most public libraries.

3. *Principal product or raw material.*—Specify either the principal product or the principal raw material and the maximum quantity per day produced or consumed.

4. Quantities are to be reported in the units of measurement given in table III for the particular SIC categories that are listed. Enter the letter-number code from the "Code" column in table III for the units selected under "Units." Other SIC categories should use the units of measurement normally used by that industry.

6. *Characteristics of wastewater.*—Indicate the characteristics of the wastewater from the contributing industry in terms of parameters that will adequately identify the waste such as BOD, COD, Cr, Zn, pH units, degrees Fahrenheit, etc. The characteristics should be indicative of the waste stream after any pretreatment is provided by the industrial facility but prior to entering the municipal system. In addition to parameter names, give the five-digit parameter numbers specified in appendix A. Report values in units specified in appendix A.

TABLE I—WASTE TREATMENT CODES—MUNICIPAL

The treatment operations shown in this table are, in general, arranged in the order in which they normally occur during a sewage disposal cycle. Select those which apply to the system being reported and enter the codes in section II, item 11(b) in the sequence in which they occur, where parallel or alternate operations are involved, list the codes one after the other, but enclose all of them in slashes. Example: Where plant influent is initially screened and then routed through two primary settling tanks emptying into a single trickling filter and single sludge bed, the treatment processes would be coded as follows: S/C O/FT B.

In most instances, each major operation is designated by a single letter. To allow more specific definition of complex operations, one or two letters have been added to the basic codes showing variations in processes or techniques. For example, the basic code for filtering operations is "F"; to show that it is a sand filter, an "S" is added to make the code "FS". It is further defined to show an intermittent sand filter as "FSI." Record the codes which most clearly define your plant operations.

J—Equalization.  
JS—Surge Tank.  
S—Screens.  
SC—Comminutor (grinding of sewage stream).  
M—Metering.  
G—Grit chamber.  
GA—Aerated grit chambers.  
O—Grease removal and skimming tanks not incidental to settling tanks.  
OA—Aerated tank (diffused air).  
E—Pretreatment.  
EA—By aeration.  
EG—By chlorine gas.  
EH—By hypochlorite.  
EZ—By ozonation.  
ET—By temperature control.  
EO—By other.  
C—Primary settling tanks and holding tanks.  
R—Intermediate settling tanks (include only if designated for use as part of other than additional treatment processes).  
AS—Activated sludge treatment.  
ASN—Conventional (approximately 4 to 8 hours of aeration with approximately 25 percent sludge return).

ASA—High rate aeration (less than 4 hours aeration).

AST—Tapered aeration (variable aeration along length of tank).

ASS—Step aeration.

ASP—Plug flow.

ASR—Completely mixed step aeration and sludge return.

ASG—Stage aeration including intermediate settling.

ASC—Contact stabilization (provides aeration period less than 2 hours in contact tank).

ASE—Extended aeration (greater than 24 hours).

ASO—Pure oxygen used (80 percent +).

AP—Treatment by plain aeration.

APC—Contact aeration (fixed media, i.e., contact plates or frames).

APP—Plain aeration (no sludge return).

APO—Oxidation ditch.

F—Filters.

FC—Contact beds including dosing siphons.

FS—Sand.

FSI—Intermittent sand filters.

FSR—Rapid sand filters or other sand straining including subsurface.

FO—Roughing filters.

FT—Trickling filters.

FTH—High rate.

FTL—Low rate.

K—Intermediate treatment (include only if designed for use as part of an other than additional treatment process).

KG—Coagulation.

KF—Flocculation.

N—Final settling tanks.

P—Disinfection.

PG—By chlorine gas.

PH—By hypochlorite.

PO—By ozone.

I—Application of wastewater treatment facility effluents to land.

IC—Cultivated soils used to produce crops for consumption by animals or man.

IA—Sprays used.

IS—Subsurface application.

L—Lagoons or ponds.

LE—Evaporation (no discharge).

LS—Seepage (no discharge).

LP—Settling.

LH—Holding or detention.

LT—Emergency storage only.

LO—Stabilization.

LA—Aeration provided.

D—Digester, separate sludge.

DN—Anaerobic.

DA—Mechanical aeration provided (aerobic digestion).

DD—Diffused aeration provided (aerobic digestion).

B—Sludge drying beds.

H—Sludge storage tanks (not second stage digestion units).

T—Sludge thickener.

TA—Air flotation.

V—Mechanical sludge dewatering.

VC—Centrifuge.

VV—Rotary vacuum filter.

VP—Press.

VH—Heat treatment.

Z—Sludge conditioning.

ZY—Elutriation.

W—Additional treatment.

WH—Heavy metals removal.

WP—Phosphorus removal.

WS—Suspended solids removal.

WA—Carbon adsorption.

WB—Breakpoint chlorination.

WC—Chemical coagulation and sedimentation.

WD—Distillation.

WE—Electrical processes.

WEC—Electro-chemical.



WED—Electrodialysis.  
 WG—Evaporation.  
 WF—Filtration.  
 WK—Foaming.  
 WI—Ion exchange.  
 WJ—Dissolved air floatation.  
 WL—Lagoons—polishing only.  
 WM—Microscreening.  
 WN—Nitrogen removal.  
 WNS—Ammonia stripping.  
 WNA—Biological nitrification 1 stage.  
 WNB—Biological nitrification 2 stage.  
 WND—Denitrification by anaerobic digestion and suspended growth chamber.  
 WNC—Denitrification by anaerobic digestion and packed columns.  
 WX—Chemical oxidation.  
 WU—Neutralization.  
 WR—Reverse osmosis.  
 WV—Solvent extraction.  
 X—Sludge disposal.  
 XB—Barged to sea.  
 XD—Used for fertilizer.  
 XF—Burned for fuel.  
 XI—Incinerated.  
 XN—Used for landfill.  
 XR—Land reclamation.  
 XO—Wet air oxidation.

TABLE II—FACILITY REQUIREMENT CODES

General action description:	Key word
New facility.....	NEW
Modification (no increase in capacity or treatment).....	MOD
Increase in capacity.....	INC
Increase in treatment level.....	INT
Both increase in treatment level and capacity.....	ICT
Specific action description:	
Primary.....	PRI
Secondary.....	SEC
Tertiary.....	TER
Polishing lagoon.....	PLA
Phosphorus removal.....	PHO
Nitrogen removal.....	NTI
Organic removal.....	ROR
Disinfection.....	DIS
Sludge processing.....	SLP
Sludge disposal.....	SLD
Outfall.....	OUT
Sanitary intercepting sewer.....	SIN
Sanitary collector sewer.....	CSE
Pumping station.....	IPU
Force main.....	FUM
Infiltration/correction.....	INI
Combined sewer correction.....	CSC

## APPENDIX A—STANDARD ANALYTICAL METHODS (INTERIM)

(To be used with item 14, section II)

The following tables are to be used as a guide in reporting the data concerning each parameter. The first column of each table, "PARAMETER & UNITS," indicates the preferred units for reporting data for a given parameter. The second column, "METHOD," lists the preferred analytical method (if any) for determining the required parameter values. The next three columns, "REFERENCES," give the page numbers in standard reference works where a detailed description of the recommended analytical technique given under "METHOD" can be found. These standard references are:

1. Standard Methods for the Examination of Water and Wastewaters, 13th Edition, 1971, American Public Health Association, New York, N.Y. 10019.

2. A.S.T.M. Standards, Part 23, Water; Atmospheric Analysis, 1973 American Society for Testing and Materials, Philadelphia, Pa. 19103.

3. EPA Methods for Chemical Analysis of Water and Wastes, April 1971, Environmental Protection Agency, Water Quality Office, Analytical Quality Control Laboratory, NERO, Cincinnati, Ohio 45268.

Copies of the publications are available from the above sources, or for review in the Regional Offices of the Environmental Protection Agency or the State Water Control Board.

The last column, "Data Reporting Level," indicates that nearest significant figure (digit) to which the data must be reported. For example, the figure X, for chloride indicates that chloride data must be reported to the nearest whole milligram per liter, and that it is not necessary to report in fractional milligrams per liter. This level should not be confused with "detectable limits"; applicable detection limit information can be obtained from the appropriate reference source.

TABLE III—UNITS OF MEASUREMENT BY SIC CODE (INDUSTRY) (TO BE USED FOR ITEM 14, SECTION IV)

SIC Code(s)	Code	Units of measurement	Industry
201; 2077.....	A-1.....	Pound live weight killed (meatpacking in slaughterhouse or packinghouse; poultry processing).	Meat products.
	A-2.....	Pound product (slaughtering & rendering; processing).	
	A-3.....	Pound raw material (rendering in off-site plant).	
202; 5143.....	B-1.....	1,000 lb milk equivalent.....	Dairy products.
2033; 2034; 2037; 2038.....	C-1.....	Ton raw material.....	Canned and preserved fruits and vegetables.
204.....	D-1.....	1,000 bu processed.....	Grain mill products.
2061.....	E-1.....	Ton sugarcane ground.....	Raw cane sugar.
2062.....	E-2.....	Ton raw sugar processed.....	Cane sugar refining.
2063.....	E-3.....	Ton beets sliced.....	Beet sugar.
2077.....		See SIC 201.....	
2084.....	F-1.....	Ton grapes pressed.....	Wines, brandy, and brandy spirits.
	F-2.....	1,000 gal wine (table wine, for process season only).	
2085.....	F-3.....	1,000 bu grain processed.....	Distilled liquor, except brandy.
2086.....	F-4.....	1,000 standard cases.....	Bottled and canned soft drinks.
2091; 2092.....	G-1.....	Ton raw material.....	Seafoods.
22.....	H-1.....	1,000 lb raw material or 1,000 lb product.....	Textile mill products.
2421.....	I-1.....	1,000 bfm.....	Sawmills and planing mills.
2435; 2436.....	I-2.....	1,000 ft <sup>3</sup> on three-eighths in basis.....	Veneer and plywood.
2491.....	I-3.....	1,000 ft <sup>3</sup> treated.....	Wood preserving.
2492.....	I-4.....	1,000 ft <sup>3</sup> on a three-fourths in basis.....	Particle board.
26.....	J-1.....	Ton product.....	Paper and allied products.
2812; 2816; 2819.....	K-1.....	Ton product.....	Inorganic chemicals.
2821; 2823; 2824; 2831; 3079.....	L-1.....	1,000 lb product.....	Plastic materials and synthetics industry.
2822.....	M-1.....	1,000 lb rubber produced.....	Synthetic rubber (vulcanizable elastomers).
283.....	N-1.....	1,000 lb raw material.....	Drugs and pharmaceuticals.
2841.....	O-1.....	1,000 lb product or 1,000 gal product.....	Soap and detergents.
	O-2.....		
2865; 2869.....	P-1.....	1,000 lb product.....	Organic chemicals.
2873; 2874; 2875.....	Q-1.....	1,000 ton product.....	Fertilizer industry.
2879.....	R-1.....	1,000 lb product.....	Agricultural chemicals and pesticides.
2891.....		See SIC 2821.....	
2911.....	S-1.....	1,000 bbl crude or partially refined feed stock (stream day).	Petroleum refining.
3011; 3021; 3031; 3041; 3069.....	T-1.....	1,000 lb raw material.....	Rubber products.
3111.....	U-1.....	1,000 lb green salted hides or pickled skins.....	Leather tanning and finishing.
3211; 3231.....	V-1.....	1,000 ton product or 1,000 ft <sup>2</sup> mirrored surface (for mirrored glass only).	Flat glass and glass products made from purchased glass.
3241.....	V-3.....	1,000 bbl product.....	Hydraulic cement.
327.....	V-4.....	1,000 ton product.....	Concrete, gypsum, and plaster products.
3292.....	V-5.....	1,000 ton asbestos used.....	Asbestos products.
331.....	W-1.....	Ton dry coal.....	Coke making.
	W-2.....	Ton hot metal.....	Blast furnaces.
	W-3.....	Ton liquid steel.....	Steelworks.
	W-4.....	Ton hot formed steel.....	Hot forming.
	W-5.....	Ton processed steel.....	Rolling and finishing mills.
332.....	W-6.....	Ton metal cast.....	Iron and steel foundries.
333.....	X-1.....	1,000 lb metal product.....	Primary smelting and refining of non-ferrous metals.
334.....	X-2.....	1,000 lb metal product.....	Secondary smelting and refining of nonferrous metals.
335.....	X-3.....	1,000 lb metal processed.....	Rolling, drawing, and extruding of nonferrous metals.
336.....	X-4.....	1,000 lb metal cast.....	Nonferrous foundries.
3465; 3711; 3714.....	Y-1, Y-2.....	Unit production or square feet.....	Automobile manufacturing.
4911; 4931.....	Z-1.....	1,000 MWh generated.....	Electric power services.
4961.....	Z-2.....	1 million lb steam produced.....	Steam supply.

TABLE 1  
CRITICAL PARAMETERS

TABLE 4

Parameter Units	Method	Standard Methods 1970, 1971	References A.S.T.M. Standards 1972	EPA Methods 1971	Data Reporting Level
Acidity as CaO, % 000410	Titration-Electrode or Autocolor Method Potenti Orange End Point	p. 370	p. 143	p. 6 p. 8	X.
Sub- sidiary 000310	Modified Winler or Probe Method	p. 460	p. 618	p. 15	X.
Chemical oxygen demand (COD) 000340	Dichromate Reflux	p. 485	p. 219	p. 17	X.
TOTAL SOLIDS 000500	Gravimetric, 105°C.	p. 535	-	p. 260	X.
TOTAL DISSOLVED SOLIDS (TDS) 000510	Glass fiber filtration 100°C.	-	-	p. 275	X.
TOTAL SUSPENDED SOLIDS (TSS) 000520	Glass fiber filtration - 103-105°C.	p. 537	-	p. 270	X.
TOTAL VOLATILE SOLIDS (TVS) 000505	Gravimetric Method 550°C.	p. 536	-	p. 262	X.
Biochemical oxygen demand (BOD) 000450	5-hr. incubation, 20°C.	p. 539	-	-	X.
Phenols 000610	Distillation-Fertilization or Autocolor Phenolate	-	-	p. 134 p. 141	.XX
Ammonia 000620	Distillation or Autocolor	p. 402	-	p. 140 p. 157	X.
Nitrate 000630	Cadmium reduction	p. 461	p. 124	p. 165 p. 175	.XX
TOTAL PHOSPHORUS 000645	Ascorbic acid reduction	p. 466	-	p. 240 p. 235 p. 239	.XX
Acidity as CaO, % 000435	Voluetric-color or Electrode End Point	p. 370	p. 143	p. 5	X.
TOTAL ORGANIC CARBON (TOC) 000650	Combustion-Infrared Method	p. 537	p. 702	p. 221	X.
Water 000660	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000670	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000680	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000690	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000700	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000710	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000720	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000730	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000740	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000750	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000760	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000770	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000780	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000790	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000800	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000810	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000820	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000830	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000840	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000850	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000860	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000870	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000880	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000890	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000900	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000910	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000920	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000930	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000940	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000950	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000960	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000970	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000980	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 000990	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 001000	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X.
Water 001010	Distillation-Gravimetric or Autocolor	p. 467	p. 124	p. 165 p. 175	X

TABLE A (Continued)

TABLE A (Continued)

Preceptor Units	Method	References			Data Penetrating Level
		Standard Methods 13th Ed. 1971	A.S.T.M. Standards Pt. 23 1972	BPV Methods 1971	
PCB's in milk 00605	High-boiling Nitrogen Illus Armitage (11)	p. 460	-	p. 149	.X
Ortho-phos- phate (as P) mg/l 70507	Direct Single Reagent, mercuric chloride, mercuric nitrate or stannous chloride	p. 532	p. 42	p. 285 p. 259	.XX
vanillic acid 00645	Thiodiacetic or Automated colorimetric-azobenzene colorimetric	p. 334	p. 52	p. 266 p. 230	.X
vanillic acid 00745	Thiodiacetic or Automated colorimetric	p. 551	-	p. 294	.X
vanillic acid 00740	Vanillic-Iodide titration	p. 337	p. 261	-	.X
iodine 71870	Colorimetric	p. 75	p. 214	-	.X
acetone 00940	Vanillic-Iodide or Automated colorimetric- iodine, thiodiacetic	p. 97	p. 21	p. 231	.X
cuprous 00720	Distillation-Silver Nitrate titration or Potentiometric Pyrazolone Colorimetric	p. 404	p. 556	p. 41	.XX
iodine 00951	Distillation-Silver Nitrate titration or Potentiometric Complexone	p. 171	p. 191	p. 64 p. 66 p. 72	.X
Chlorophyll-total residual 71870	Acetone-Solvent or Acetone-Solvent	p. 107	-	-	.X
carotenes 00950	Liquid-Liquid Extraction	p. 254	-	-	.X
carotenes 71870	Colorimetric, 4-AP	p. 602	p. 445	p. 232	.XXX
carotenes 71870	High-boiling Blue Product	p. 659	p. 619	p. 131	.X
ascorbic acid 71870	Specific Alkaline Line in "Pentam"	-	-	-	.XXX
Chlorinated organic com- pounds (except pesticides) 71870	Specific Method used in "Pentam"	-	-	-	.XXX
Pesticides 71870	Specific Method used in "Pentam"	-	-	-	.XXX

See Note 1 at end of Table

TOTAL METAL CONTENT		TABLE A. (Continued)				
Parameter Units	Method	References				Data Reporting Level
		Standard Methods 13th Ed. 1971	A.S.T.M. Standards Pt. 23 Ed. 1972	EPA Methods 1971		
ALUMINUM TOTAL ** mg/liter 01105	Atomic Absorption Spectrophotometer	p. 57	-	p. 90	.XXX	
ANTHRACENE TOTAL ** mg/liter 01007	Atomic Absorption Spectrophotometer	-	-	p. 83	.XXX	
ARSENIC TOTAL ** mg/liter 01002	Silver Diethylthio- Carbamate or Atomic Absorption Spectropho- tometer	p. 62	-	p. 13 p. 99	.XXX	
BARIUM TOTAL ** mg/liter 01007	Atomic Absorption / Spectrophotometer	p. 66	-	p. 83	.XXX	
BISMUTH TOTAL ** mg/liter 01012	Aqueous or Atomic Absorption Spectro- photometer	p. 67	-	p. 83	.XXX	
BORON TOTAL ** mg/liter 01022	Cuprous, Cuprous or Potentiometric	p. 69	-	p. 83	.XXX	
CADMIUM TOTAL ** mg/liter 01027	Atomic Absorption Spectrophotometer or Colorimetric	p. 422	p. 692	p. 101	.XXX	
CALCIUM TOTAL ** mg/liter 00916	EDTA Titration or Atomic Absorption Spectrophotometer or Colorimetric	p. 84	p. 692	p. 102	.X	
CHROMIUM TOTAL ** mg/liter 01034	Atomic Absorption Spectrophotometer or Colorimetric	p. 426	p. 692	p. 104	.XXX	
COPPER TOTAL ** mg/liter 01037	Atomic Absorption Spectrophotometer	-	p. 692	p. 83	.XXX	
COPPER TOTAL ** mg/liter 01042	Atomic Absorption Spectrophotometer or Colorimetric	p. 430	p. 692	p. 106	.XXX	
COPPER TOTAL ** mg/liter 01045	Atomic Absorption Spectrophotometer or Colorimetric	p. 433	p. 692	p. 103	.XXX	
COPPER TOTAL ** mg/liter 01051	Atomic Absorption Spectrophotometer or Colorimetric	p. 435	p. 692	p. 110	.XXX	
COPPER TOTAL ** mg/liter 01057	Atomic Absorption Spectrophotometer or Colorimetric	p. 416	p. 692	p. 112	.X	
COPPER TOTAL ** mg/liter 01057	Atomic Absorption Spectrophotometer	-	p. 692	p. 114	.XXX	

\*\* See Note 2 at end of Table

TOTAL METAL CONTENT		TABLE A - (Cont'd)				Data Reporting Level
Parameter & Units	Method	References			EPA Methods 1971	
		Standard Methods 13th Ed. 1971	A.S.T.M. Standards Pt. 23 Ed. 1972			
FLUORINE TOTAL ** mg/liter 1900	Flameless Atomic Absorption For updated method, See JAWMA, 64, No. 1, pp 20-25 (Jan. 1972)	-	-	p. 121	.XXXX	
IRON TOTAL ** mg/liter 01062	Atomic Absorption Spectrophotometer (see note at end of table)	-	-	# p. 83	.XXX	
NICKEL TOTAL ** mg/liter 01067	Absorption Spectrophotometer or Atomic Absorption Spectrophotometer (see note at end of table)	p. 443	p. 692	# p. 83	.XXX	
POTASSIUM TOTAL ** mg/liter 00937	Colorimetric, Flame Photometric or Atomic Absorption Spectrophotometer	p. 285 p. 283	p. 326	p. 115	.X	
SELENIUM TOTAL ** mg/liter 01147	Colorimetric-Diaminobenzidine	p. 296	-	p. 271	.XXX	
SILVER TOTAL ** mg/liter 01077	Atomic Absorption Spectrophotometer	p. 309	-	p. 117	.XXX	
SODIUM TOTAL ** mg/liter 00929	Flame Photometric or Atomic Absorption Spectrophotometer	p. 317	p. 326	p. 118		
THALLIUM TOTAL ** mg/liter 01055	Atomic Absorption Spectrophotometer (See note at end of table)	-	-	# p. 83	.XXX	
TIN TOTAL ** mg/liter 01102	Atomic Absorption Spectrophotometer (See note at end of table)	-	-	# p. 83	.XXX	
TUNGSTEN TOTAL ** mg/liter 01152	Atomic Absorption Spectrophotometer (see note at end of table)	-	-	# p. 83	.XXX	
ZINC TOTAL ** mg/liter 01092	Colorimetric, or Atomic Absorption Spectrophotometer	p. 444 p. 211	p. 692	p. 120	.XXX	

\*\* See Note 2 at end of Table

RADIOACTIVE PARAMETERS				TABLE A (continued)	
TYPE OF RADIATION	REFERENCES			DATA REPORTING LEVEL	
	STANDARD METHODS 13th ED. 1971	A.S.T.M. STANDARDS PT. 23 1972			
ALPHA-TOTAL picocurie/liter 01501	P. 598	P. 509		X.	
ALPHA COUNTING ERROR picocurie/liter 01502	P. 598	P. 512		X.	
BETA-TOTAL picocurie/liter 03501	P. 598	P. 473		X.	
BETA COUNTING ERROR picocurie/liter 03502	P. 598	P. 478		X.	

PHYSICAL AND BIOLOGICAL PARAMETERS						TABLE A (continued)	
PARAMETERS & UNITS	METHODS	References			DATA REPORTING LEVEL		
		STANDARD METHODS 13th ED. 1971	A.S.T.M. STANDARDS PT. 23 1972	EPA METHODS 1971			
COLOR (Pt-Co units) 00080	PLATINUM-COBALT VISUAL	P. 160	--	P. 38	X.		
SPECIFIC CONDUCTANCE (micromhos/cm at 25°C) 00095	WHEATSTONE BRIDGE	P. 323	P. 163	P. 284	X.		
TURBIDITY (Jackson unit) 00070	TURBIDIMETER	P. 577	P. 467	P. 308	X.		
FECAL STREPTOCOCCI BACTERIA number/100 ml 74054	SPECIFY METHOD USED IN "REMARKS"	P. 688	--	--	X.		
COLIFORM BACTERIA, FECAL number/100 ml 74055	SPECIFY METHOD USED IN "REMARKS"	P. 669 P. 684	--	--	X.		
COLIFORM BACTERIA, TOTAL number/100 ml 74056	SPECIFY METHOD USED IN "REMARKS"	P. 664 P. 679	--	--	X.		

## PROPOSED RULES

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER  
MANUFACTURING AND COMMERCIAL

FOR AGENCY USE

## SECTION I. APPLICANT AND FACILITY DESCRIPTION

Unless otherwise specified on this form, all items are to be completed. If an item is not applicable, indicate 'NA'.

ADDITIONAL INSTRUCTIONS FOR SELECTED ITEMS APPEAR IN SEPARATE INSTRUCTION BOOKLET AS INDICATED. REFER TO BOOKLET BEFORE FILLING OUT THESE ITEMS.

1. Legal Name of Applicant:  
(see instructions)

101

2. Mailing Address of Applicant:  
(see instructions)

Street

City

County

State

Zip Code

102a

102b

102c

102d

102e

I certify that I am familiar with the information contained in the application and that to the best of my knowledge and belief such information is true, complete, and accurate.

Printed Name of Person Signing

Title

Y R M O DAY

Date Application Signed

102F

Signature of Applicant

18 U.S.C. Section 1001 provides that:

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and wilfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statement or representation, or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

FOR AGENCY USE

Received

Y R M O DAY

OFFICE: EPA Region No. \_\_\_\_\_  
State \_\_\_\_\_

FOR AGENCY USE

3. Applicant's Authorized Agent:  
(see instructions)

Name and Title

Street Address

City

State

Zip Code

Telephone

103a

103b

103c

103d

103e

103f

4. Previous Application:

If a previous application for a National or Federal Discharge Permit has been made, give the date of application.

104

Y R M O DAY

5. Facility/Activity: (see instructions)  
Give the name, ownership, and physical location of the plant or other operating facility where discharge(s) does or will occur.

Name

Ownership (Public, Private or both Public and Private)

Check block if Federal Facility and Give GSA Inventory Control Number Location

Street &amp; Number

City

County

State

105a

105b

105c

105d

105e

105f

105g

105h

6. Nature of Business: State the nature of the business conducted at the plant or operating facility.

106a

106b

AGENCY USE

NOTE 1.—\*Interim procedures for algicides, chlorinated organic compounds, and pesticides can be obtained from the Analytical Quality Control Laboratory, National Environmental Research Center, Cincinnati, Ohio 45268, or from the Regional Offices of the Environmental Protection Agency.

NOTE 2.—\*\*For the determination of total metals the sample is not filtered before processing. Choose a volume of sample appropriate for the expected level of metals. If much suspended material is present, as little as 50–100 ml of well-mixed sample will most probably be sufficient. (The sample volume required may also vary proportionally with the number of metals to be determined.)

Transfer a representative aliquot of the well-mixed sample to a Griffin beaker and add 3 ml of concentrated distilled HNO<sub>3</sub>. Place the beaker on a hotplate and evaporate to dryness making certain that the sample does not boil. Cool the beaker and add another

3 ml portion of distilled concentrated HNO<sub>3</sub>. Cover the beaker with a watch glass and return to the hotplate. Increase the temperature of the hotplate so that a gentle reflux action occurs. Continue heating, adding additional acid as necessary until the digestion is complete, generally indicated by a light-colored residue. Add sufficient distilled 1:1 HCl and again warm the beaker to dissolve the residue. Wash down the beaker walls and watch glass with distilled water and filter the sample to remove silicates and other insoluble material that could clog the atomizer. Adjust the volume to some predetermined value based on the expected metal concentrations. The sample is now ready for analysis. Concentrations so determined shall be reported as "total." STORET parameter numbers for reporting this type of data have been assigned and are given for each metal.

MARCH 16, 1973.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MANUFACTURING AND COMMERCIAL STANDARD FORM C**

**APPLICATION FOR PERMIT TO DISCHARGE (STANDARD FORM)**

(FORM NUMBER -----)

**GENERAL INSTRUCTIONS**

The Federal Water Pollution Control Act, as amended by Public Law 92-500 enacted October 18, 1972, prohibits any person from discharging pollutants into a waterway from a point source unless his discharge is authorized by a permit issued either by the U.S. Environmental Protection Agency or by an approved State agency. Regulations for the operation of this program are published in the FEDERAL REGISTER as 40 CFR part 125 at (p. --) FR (v. --) (date -----), available from the Government Printing Office, Washington, D.C. 20402. Applicants wishing detailed information regarding this form or the permit should refer to this publication. It is expected, however, that for most applicants, the attached cover letter and the general instructions below will provide the information necessary to complete the form.

**Who must apply.**—The owner and operator of any activity or wastewater system, publicly or privately owned, which discharges wastes into a waterway, must obtain a permit for such discharge(s). Where the system is owned by one person but leased to another person for operation, it is the responsibility of the operator to obtain the permit. A separate application is to be submitted for each facility discharging separately which is owned and/or operated by the applicant. Federal departments, agencies, and instrumentalities are also subject to these requirements. For a municipality, a facility is defined as a distinct activity or installation, including connected wastewater transport system, which operates under the control or jurisdiction of a single responsible organization and discharges pollutants from one or more discharge points.

**Application form to be used.**—There are two sets of national pollutant discharge elimination system (NPDES) forms which are to be used, short forms (A–D) and standard forms (A and C). These instructions are for the standard forms A and C. The standard form requires specific information on the activity or wastewater facility and on each discharge. Depending on the adequacy of the data submitted for determining the issuance of a permit, additional information and analyses may be required from an applicant. Standard forms are designed for different sources of discharge as follows:

Form A—Municipal wastewater systems.  
Form C—Manufacturing and commercial (including mining and vessel discharges).

If the discharge is from a Federal facility's treatment plant receiving more than 50 percent domestic waste (based on the dry

weather flow rate), complete standard form A. All other dischargers (including dischargers of domestic waste), with the exception of municipalities and Federal facilities described above, must complete standard form C.

**Signature on application.**—The person who signs the application form will often be the applicant himself; when another person signs on behalf of the applicant, his title or relationship to the applicant should be shown in the space provided. In all cases the person signing the form should be authorized to do so by the applicant. An application submitted by a corporation must be signed by a principal executive officer of at least the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge(s) described in the form originate. In the case of a partnership or a sole proprietorship, the application must be signed by a general partner or the proprietor, respectively. In the case of a municipal, State, Federal, or other public facility, the application must be signed by either a principal executive officer, ranking elected official, or other duly authorized employee.

**Attachments and supplemental information.**—Some items in this form may require narrative explanation; for this purpose, use the item labeled "Additional Information" at the end of sections I and II, or attach a separate sheet entitled "Additional Information." Where a separate sheet is used, be sure it is identified by the name of the applicant, the activity, and the discharge number to which it applies. Also, identify

each separate remark by the item number and section of the form to which it refers.

**Drawings required in section I** should be attached to this application and identified by the name of the applicant and the activity. All other papers and attachments to the application must be similarly identified.

**Use of information.**—Except as specified below, all information contained in this application will, upon request, be made available to the public for inspection and copying. A separate sheet entitled "Confidential Answers" must be used to set out information which the applicant believes if disclosed to the general public would divulge methods and processes entitled to protection as trade secrets. The information must clearly indicate the item number to which it applies. Confidential treatment can be considered only for the information for which a specific written request for confidential treatment has been made on the attached sheet. However, in no event will identification of the contents, volume, and frequency of a discharge be recognized as confidential or privileged information.

**Completion of forms.**—Unless otherwise specified in the detailed instructions, each item in the forms must be answered. To indicate that each item has been considered, enter "NA", for not applicable, where a particular item does not fit the circumstances or characteristics of your operation or activity.

Assistance and advice regarding requirements for filing permit applications can be obtained through contact with your EPA Regional Office or approved State agency.

**ADDRESSES OF EPA REGIONAL OFFICES AND STATES WITHIN THEIR JURISDICTION**

Region	Address	State
I.....	Regional Administrator, Region I, Environmental Protection Agency, John F. Kennedy Federal Bldg., room 2939, Boston, Mass. 02203; attention: Permits Branch, 617-223-7210.	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.
II.....	Regional Administrator, Region II, Environmental Protection Agency, 23 Federal Plaza, room 623, New York, N.Y. 10007; attention: Permits Branch, 212-224-6333.	New Jersey, New York, Virgin Islands, Puerto Rico.
III.....	Regional Administrator, Region III, Environmental Protection Agency, Curtis Bldg., Sixth and Walnut Sts., Philadelphia, Pa. 19103; attention: Permits Branch 215-537-2924.	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.
IV.....	Regional Administrator, Region IV, Environmental Protection Agency, 1421 Peachtree St. NE., Atlanta, Ga. 30309; attention: Permits Branch, 404-525-5371.	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
V.....	Regional Administrator, Region V, Environmental Protection Agency, 1 North Wacker Dr., Chicago, Ill. 60606; attention: Permits Branch, 312-323-1340.	Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.
VI.....	Regional Administrator, Region VI, Environmental Protection Agency, 1600 Patterson St., suite 1100, Dallas, Tex. 75201; attention: Permits Branch, 214-742-1533.	Arkansas, Louisiana, New Mexico, Oklahoma, Texas.
VII.....	Regional Administrator, Region VII, Environmental Protection Agency, 1735 Baltimore Ave., Kansas City, Mo. 64108; attention: Permits Branch, 816-374-5335.	Iowa, Kansas, Missouri, Nebraska.
VIII.....	Regional Administrator, Region VIII, Environmental Protection Agency, 1850 Lincoln St., suite 600, Denver, Colo. 80202; attention: Permits Branch, 303-837-4901.	Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.
IX.....	Regional Administrator, Region IX, Environmental Protection Agency, 100 California St., San Francisco, Calif. 94111; attention: Permits Branch, 415-223-3420.	Arizona, California, Hawaii, Nevada, Guam, American Samoa.
X.....	Regional Administrator, Region X, Environmental Protection Agency, 1200 Sixth Ave., Seattle, Wash. 98101; attention: Permits Branch, 206-442-1213.	Alaska, Idaho, Oregon, Washington.

## PROPOSED RULES

FOR AGENCY USE

7. Facility Intake Water: (see instructions)  
Indicate water intake volume per day by sources. Estimate average volume per day in thousand gallons per day.

Municipal or private water system  
Surface water  
Ground water  
Other

Total Item 7

If there is intake water from 'other',  
specify the source

8. Facility Water Use:  
Estimate average volume per day in thousand gallons per day for the following types of water usage at the facility. (See instructions)

Non-contact cooling water  
Boiler feed water  
Process water (including contact cooling water)  
Sanitary water  
Other

Total Item 8

If there is 'other' water use,  
specify the use.

If there is 'Sanitary' water use,  
give the number of people served.

107a	-----
107b	-----
107c	-----
107d	-----
107e	-----
107f	-----
108a	-----
108b	-----
108c	-----
108d	-----
108e	-----
108f	-----
108g	-----
108h	-----

FOR AGENCY USE

9. All Facility Discharges and other Losses; Number and Discharge (see instructions.)

Volume: Specify the number of discharge points and the volume of water discharged to or lost from the facility according to the categories below. Estimate average volume per day in thousand gallons per day.

Surface Water  
Sanitary wastewater transport system  
Storm water transport system  
Combined sanitary and storm water transport system  
Surface impoundment with no effluent  
Underground percolation  
Well Injection  
Waste acceptance firm  
Evaporation  
Consumption  
Other \*

Facility discharges and volume  
Total Item 9.

\*If there are discharges to 'other', specify.

	Number of Discharge Points	Volume Used or Discharged, Thousand Gal/Day
109a	-----	-----
109b	-----	-----
109c	-----	-----
109d	-----	-----
109e	-----	-----
109f	-----	-----
109g	-----	-----
109h	-----	-----
109i	X X X X	-----
109j	X X X X	-----
109k	-----	-----
109l	-----	-----
109m	-----	-----



FOR AGENCY USE

**10. Permits, Licenses and Applications:**

Permits, Licenses and Applications:  
List all existing, pending or denied permits, licenses and applications (see instructions).

	Issuing Agency	FOR AGENCY USE	Type of Permit or License	ID NUMBER	Date Filed YR/MO/DA	Date Issued YR/MO/DA	Date Denied YR/MO/DA	Expiration Date YR/MO/DA
110a								
110a								
110a								
110a								

11. Maps and Drawings:

Attach all required maps and drawings (see instructions).

## 12. Additional Information

112	Item Number	Information

FOR AGENCY USE
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## SECTION II BASIC DISCHARGE DESCRIPTION: MANUFACTURING AND COMMERICAL

Complete a copy of Section II for each present or proposed discharge. SEPARATE "DESCRIPTIONS" OF EACH DISCHARGE ARE REQUIRED EVEN IF SEVERAL DISCHARGES ORIGINATE IN THE SAME FACILITY.

All values for an existing discharge should be representative of the last full year of operation. If this is a proposed discharge, values should reflect best engineering estimates.

ADDITIONAL INSTRUCTIONS FOR SELECTED ITEMS APPEAR IN SEPARATE INSTRUCTION BOOKLET AS INDICATED. REFER TO BOOKLET BEFORE FILLING OUT THESE ITEMS.

- |      |   |      |               |
|------|---|------|---------------|
| 1.a. | <u>Discharge Serial Number</u><br>(see instructions)  | 201a | ____          |
| b.   | <u>Discharge Name</u><br>(see instructions)   | 201b | _____         |
| c.   | <u>Previous Discharge Serial Number.</u> If previous permit application was made for this discharge (see Item 4, Section I), provide previous discharge serial number.  | 201c | ____          |
| 2.a. | <u>Discharge Began Date.</u> If the discharge described below is in operation, give the date (within best estimate) the discharge began.                                | 202a | ____<br>YR MD |
| b.   | <u>Discharge to Begin Date.</u> If the discharge has never occurred but is planned for some future date, give the date (within best estimate) the discharge will begin. | 202b | ____<br>YR MD |
| c.   | <u>Discharge to End Date.</u> If discharge is scheduled to be discontinued within the next 5 years, give the date (within best estimate) the discharge will end.        | 202c | ____<br>YR MD |

## PROPOSED RULES

3. Engineering Report Available.  
Check if an engineering report is available to reviewing agency upon request. (see instructions).

4. Discharge Location. Name the political boundaries within which the point of discharge is located

State \_\_\_\_\_  
County \_\_\_\_\_  
(if applicable) City or Town \_\_\_\_\_

- 5.a. Discharge Point Description.  
Discharge is into (check one) (see instructions)  
Stream (includes ditches, arroyos, and other intermittent watercourses)

Lake \_\_\_\_\_  
Ocean \_\_\_\_\_  
Municipal Sanitary Wastewater Transport System \_\_\_\_\_  
Municipal Combined Sanitary and Storm Transport System \_\_\_\_\_  
Municipal Storm Water Transport System \_\_\_\_\_  
Well (Injection) \_\_\_\_\_  
Other \_\_\_\_\_

- b. If 'Other' is checked, specify \_\_\_\_\_

Discharge Serial Number

FOR AGENCY USE

203

204a

204b

204c

205a

205b

205b

STR \_\_\_\_\_

LKE \_\_\_\_\_

OCE \_\_\_\_\_

MTS \_\_\_\_\_

MCS \_\_\_\_\_

STS \_\_\_\_\_

WEL \_\_\_\_\_

OTH \_\_\_\_\_

Agency Use

Discharge Serial Number

FOR AGENCY USE

6. Discharge Point - Lat/Long.  
Give the precise location of the point of discharge to the nearest second

Latitude

Longitude

206a

206b

207a

208a

208b

\_\_\_\_ DEG \_\_\_\_ MIN \_\_\_\_ SEC

\_\_\_\_ DEG \_\_\_\_ MIN \_\_\_\_ SEC

FOR AGENCY USE

Major	Minor	Sub

7. Discharge Receiving Water Name  
Name the waterway at the point of discharge (see instructions)

If the discharge is through an outfall that extends beyond the shoreline or is below the mean low water line, complete Item 8.

- 8.a. Discharge Distance from Shore:

- b. Discharge Depth Below Water Surface:

feet

feet

Discharge Serial Number

FOR AGENCY USE

9.a. Type of Discharge. Check whether the discharge is continuous or intermittent. (See Instructions)

209a ☐ (con) Continuous  
☐ (int) Intermittent

b. Discharge Occurrence - Days per week. Enter the number of days per week this discharge occurs.

209b \_\_\_\_\_ Days per week

Complete Items 10 and 11 if "intermittent" is checked in Item 9.a. Otherwise, proceed to Item 12.

10. Intermittent Discharge, Quantity. State the average number of gallons per discharge occurrence.

210 \_\_\_\_\_ Average number of gallons per discharge occurrence.

11.a. Intermittent Discharge, Number of Hours Per Day. State the number of hours per day the discharge is operating.

211a \_\_\_\_\_ hours per day

b. Intermittent Discharge, Number per day. State the number of discharge occurrences per day.

211b \_\_\_\_\_ discharges per day

12.a. Maximum Flow Period: Give the time period in which the maximum flow of this discharge occurs.

212a From \_\_\_\_\_ to \_\_\_\_\_  
month month

b. Discharge Occurrence - Months: If this discharge normally operates (either intermittently or continuously) on less than a year-around basis (excluding shutdowns for routine maintenance), check the months during the year when the discharge is operating. (see instructions).

212b ☐ JAN; ☐ FEB; ☐ MAR; ☐ APR;  
☐ MAY; ☐ JUN; ☐ JUL; ☐ AUG;  
☐ SEP; ☐ OCT; ☐ NOV; ☐ DEC.

DISCHARGE SERIAL NUMBER

FOR AGENCY USE

13. Narrative description of activity producing this discharge (see instructions).

213a \_\_\_\_\_

14. For each SIC Code which describes the activity causing this discharge, supply the type and maximum amount of either the raw material consumed or the product produced in the units specified in Table I of the Instruction Booklet. For SIC Codes not listed in Table I, use raw material or production units normally used for measuring production (see instructions).

a. Raw Materials

	SIC CODE	NAME	Maximum Amount/ Day	UNIT (See Table)	SHARED DISCHARGES (Serial Number)
214a					
214a					
214a					

2015

FOR AGENCY USE

Discharge Serial Number

37. Description of Intake and Discharge

For each of the parameters listed below, enter in the appropriate box the value or code letter answer called for (see instructions).

In addition, enter the parameter name and code and all required values for any of the following parameters if they were checked in Item 16 as being added in the process: ammonia, cyanide, aluminum, arsenic, beryllium, cadmium, chromium, copper, lead, mercury, nickel, selenium, zinc, phenols, oil and grease, and chlorine (residual).

INFLUENT	IN-TREATED INTAKE WATER (DAILY AVERAGE)	IN-PLANT TREATED INTAKE WATER (DAILY AVERAGE)	EFFLUENT				SAMPLE TYPE
	(1)	(2)	DAILY AVERAGE	MINIMUM VALUE OBSERVED OR EXPECTED DURING DISCHARGE ACTIVITY	MAXIMUM VALUE OBSERVED OR EXPECTED DURING DISCHARGE ACTIVITY	FREQUENCY OF ANALYSIS	
Parameter and Code							(8)
Flow (Gallons per day)							(7)
pH (Units)							(6)
Temperature (Winter)(°F)							
Temperature (Summer)(°F)							
Biochemical Oxygen Demand (200 3-day)(mg/l)							
Chemical Oxygen Demand (COD)(mg/l)							
Total Suspended Solids (mg/l)							
Oil and Grease (mg/l)							
Chlorine (residual)(mg/l)							
Conductance (micro-mho/cm at 25°C)							
Settleable Solids (mg/l)							

• Other discharges during intake flow (serial numbers)(see instructions)

FOR AGENCY USE

Discharge Serial Number

WASTEWATER CHARACTERISTICS

16. Check the box beside each constituent which is present in the effluent (discharge water). This determination is to be based on actual analysis or best estimate (see instructions).

PARAMETER	PRESENT	PARAMETER	PRESENT
Color		Copper	
00010		01042	
Ammonia		Iron	
00610		01045	
Organic Nitrogen		Lead	
00605		01051	
Nitrate		Magnesium	
00620		00927	
Nitrite		Manganese	
00615		01055	
Phosphorus		Mercury	
00605		71900	
Sulfate		Nonylphenol	
00245		01062	
Fluoride		Nickel	
00745		01067	
Cadmium		Selenium	
00740		01147	
Chloride		Silver	
71070		01077	
Chloride		Potassium	
00240		00937	
Cyanide		Sodium	
00720		00929	
Fluoride		Thallium	
00911		01059	
Aluminum		Titanium	
01135		01157	
Antimony		Tin	
01027		01103	
Arsenic		Zinc	
01002		01022	
Beryllium		Algalicides*	
01012		72031	
Barium		Chlorinated Organic Compounds*	
01297		72033	
Boron		Fertilizers*	
01022		72053	
Cadmium		Oil and Grease	
01027		00439	
Calcium		Phenols	
02016		32133	
Chlorine		Surfactants	
01037		30520	
Chromium		Chlorine	
01034		50000	
Fecal Coliform Bacteria		Radioactivity*	
71055		72030	

\*Specify substances, compounds and/or elements in Item 26. Pesticides (insecticides, fungicides, and rodenticides) must be reported in terms of the acceptable common names specified in Acceptable Common Names and Chemical Names for the Ingredient Statement on Pesticide Labeling, 2nd Edition, Environmental Protection Agency, Washington, D.C. 20450, June 1972, as required by Subsection 162.7(b) of the Regulations for the Enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act.

**FOR AGENCY USE**

[illegible]

**FOR AGENCY USE**

219d

FEDERAL REGISTER, VOL. 38, NO. 75—THURSDAY, APRIL 19, 1973

Discharge Serial Number

FOR AGENCY USE

20. Thermal Discharge Source: Check the appropriate item(s) indicating the source of the discharge. (see instructions).

220

Boiler Blowdown  
Boiler Chemical Cleaning  
Ash Pond Overflow  
Boiler Water Treatment -  
Evaporator Blowdown  
Oil or Coal Fired Plants -  
Effluent from Air Pollution  
Control Devices  
Service Water  
Cooling Tower Blowdown  
Manufacturing Process  
Other

BLBD  
BCCL  
AFOP  
EPED  
OCFP  
SMT  
CTED  
MFR  
OTHR

21. Discharge/Receiving Water Temperature Difference:

Give the maximum temperature difference between the discharge and receiving water for summer and winter operating conditions  
Summer  
Winter

221a  
221b

°F.  
°F.  
°F./hour

22. Discharge Temperature, Rate of Change Per Hour:  
Give the maximum possible rate of temperature change per hour of discharge under operating conditions. (See Instructions)

222

Discharge Serial Number

FOR AGENCY USE

23. Cooling Water Temperature, Percentile Report (Frequency of Occurrence):  
In the table below, right, enter the temperature which is exceeded 10% of the year, 5% of the year, 1% of the year and not at all (maximum yearly temperature).

Frequency of occurrence  
a. Intake Water Temperature  
(Subject to natural changes)  
b. Discharge Water Temperature

223a  
223b

10%	5%	1%	Maximum
°F	°F	°F	°F
°F	°F	°F	°F

24. Cooling Water Intake Velocity

224

feet/sec.

25. Retention Time: Give the length of time, in minutes, from start of water temperature rise to discharge of cooling water.

225

minutes

26. Additional Information

226

Item Information



## PROPOSED RULES

FOR AGENCY USE

## SECTION III: WASTE ABATEMENT REQUIREMENTS &amp; IMPLEMENTATION (CONSTRUCTION) SCHEDULE

This section is to provide information on any unfulfilled requirement and/or uncompleted implementation schedule which may have been imposed for construction of waste abatement facilities for this discharge. Such requirements and implementation schedules may have been established by local, state, or Federal agencies or by court action. In addition to completing the following items, a copy of an official implementation schedule should be attached to this application. IF YOU ARE SUBJECT TO SEVERAL DIFFERENT IMPLEMENTATION SCHEDULES, EITHER BECAUSE OF DIFFERENT LEVELS OF AUTHORITY IMPOSING DIFFERENT SCHEDULES (Item 1a.) AND/OR STAGED CONSTRUCTION OF SEPARATE OPERATION UNITS (Item 1c), SUBMIT A SEPARATE SECTION III FOR EACH ONE.

- 1.a. Improvements - Authority Imposing Requirements: Check the appropriate item indicating the authority for implementation schedule. If the identical implementation schedule has been ordered by more than one authority, check the appropriate items. (see instructions).

Locally developed plan  
Area-Wide Plan  
Basin Plan  
State approved implementation schedule  
Federal approved water quality standards implementation plan  
Federal enforcement procedure or action  
State court order  
Federal court order

301a  
LOC  
ARE  
BAS  
SQS  
WQS  
ENF  
CRT  
FED

- b. Facility Requirement, Discharge Serial Number: List the discharge serial numbers, assigned in Section II, that are covered by this implementation schedule.

301b

- c. Facility Requirement: Specify the 3-character code from those listed below that best describes in general terms the requirement of the implementation schedule and the applicable six-character abatement code(s) from Table II of the Instruction booklet. If more than one schedule applies to the facility because of a staged construction schedule, state the state of construction being described here with the appropriate general action code. Submit a separate Section III for each stage of construction planned.

301c  
3-character (general)  
6-character (specific)

FOR AGENCY USE

## FACILITY REQUIREMENT CODES

New Facility	NEW
Modification (no increase in capacity or treatment)	MOD
Increase in Capacity	INC
Increase in Treatment Level	INT
Both increase in Treatment Level and Capacity	ICT
Process Change	PRO
Elimination of Discharge	ELI

2. Implementation Schedule and 3. Actual Completion Dates

Provide dates imposed by schedule and any actual dates of completion for implementation steps listed below. Indicate dates as accurately as possible. (See Instructions)

Implementation Steps	2. Schedule (Yr./Mo./Day)	3. Actual Completion (Yr./Mo./Day)
a. Preliminary plan approval	302a / /	303a / /
b. Final plan submission	302b / /	303b / /
c. Final plan approval	302c / /	303c / /
d. Financing complete	302d / /	303d / /
e. Site acquired	302e / /	303e / /
f. Begin action (e.g., construction)	302f / /	303f / /
g. End action (e.g., construction)	302g / /	303g / /
h. Discharge Began	302h / /	303h / /
i. Operational level attained	302i / /	303i / /

**ADDITIONAL REQUIRED INFORMATION**

APPLICATION NUMBER

DISCHARGE SERIAL NUMBER

REFER TO DIRECTIONS ON REVERSE SIDE BEFORE ATTEMPTING TO COMPLETE THIS FORM

[illegible]

**!SAB/NOB**

I certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief such information is true, complete and accurate.

[illegible]



## INSTRUCTIONS FOR INDIVIDUAL ITEMS

## SECTION 1. APPLICANT AND FACILITY DESCRIPTION: MANUFACTURING AND COMMERCIAL

1. *Legal name of applicant.*—This term applies to the person, agency, firm, municipality, or any other entity which owns or is responsible for any waste treatment works, interceptor system or any facility/activity conducting operations that result or may result in a discharge of pollutants to a navigable water. This may or may not be the same name as the facility or activity producing the discharge. Enter the name of the applicant as it is officially or legally referred to, e.g., Wire Steel Corp., Johnson Photo Processing Co. Do not use colloquial names as a substitute for the official name.

2. *Mailing address of applicant.*—Use the complete mailing address of the applicant's main offices. This often will not be the same address used to designate the location of the work or activity.

3. *Applicant's authorized agent.*—Give the name of a person who is thoroughly familiar with the facts reported on the forms and who can be contacted by the Environmental Protection Agency, State offices, and other agencies involved in permit application processing and review.

The person named, although not necessarily the same as the signing official, is also subject to the provisions of the law quoted below the signature line on the first page of the form.

Give the mailing address and telephone number where the agent can be reached.

5. *Discharge facility/activity.*—A facility is a distinct activity or installation, including connected transport systems, which operates under the control or jurisdiction of a single responsible organization and produces or may produce one or more sources of pollution. Name the facility/activity as it is officially or legally referred to in order to distinguish it from similar entities, if any, in the same geographical area. Do not use colloquial names as a substitute for the official name.

7. *Facility intake water.*—The volume per day of intake water may be estimated from water supply meter readings or from billing statements from a water supply utility. If water is not metered, estimate from pump capacity (in gallons per minute) times 60 times average number of hours the pump operates per day, dividing the product by 1,000 to obtain thousands of gallons per day to the nearest thousand of gallons.

*Municipal or private water systems.*—Any publicly or privately owned system that is a source of water for domestic, commercial, industrial, and public services.

*Surface water.*—Water other than subterranean water (e.g., ocean, lakes, and streams).

*Ground water.*—All subsurface or subterranean water.

8. *Facility water use.*—Estimate the net volume per day used at the facility for each type of use listed. Do not count twice water which is reused.

*Noncontact cooling water.* Water used to reduce temperature which does not come in contact with any raw material, intermediate, or end product.

*Boiler feed water.*—Water forced into a boiler to replace water that evaporated in the generation of steam.

*Process water.*—Water that comes in contact with any raw material, intermediate material, or end product.

*Sanitary water.*—Wastewater discharged from the sanitary conveniences (e.g., toilets, sinks, showers) of dwellings, office building, industrial plants, or institutions.

If water is first used for one purpose and the same water is subsequently used for one

or more other purposes, indicate the volume per day of the last designated use before treatment and/or discharge.

For example, if water is initially used as noncontact cooling water and then as process water (before being treated and discharged) the quantity of water given should be indicated as process water.

The total of item 8 should equal the total of item 7. Any difference in these totals should be explained in item 12, "Additional Information."

9. *Facility discharges, number and facility discharge volume.*—The total volume per day of discharges or losses (e.g., evaporation and water consumed by process) should equal the total intake volume per day (item 7). Any difference in the sum of items 7 and 9 should be explained in item 12, "Additional Information." If discharge is directly to land, use category "Surface Impoundment" with no effluent; or "Underground Percolation," or if to a surface which drains into a waterway, "Surface Water." If discharge is intermittent and less than once per day, divide average gallons per discharge by average number of days between discharges.

*Surface water.*—All water on the surface, as distinguished from subterranean water.

*Sanitary wastewater transport system.*—Conveys through a system of pipes:

1. Domestic wastewater with storm and runoff water excluded.

2. Wastewater discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, industrial plants, or institutions.

3. The water supply of a community after it has been used and discharged into a sewer.

*Directions.*—For each parameter listed, complete the information requested in each column in the units specified according to the instructions given below.

*Column 1.*—Enter the daily average value of the intake water at the point it enters the facility. If intake water is from more than one source, and enters the facility at separate entry points, the value given in column 1 should be weighted proportional to the quantity of flow contributed from each source. If water is treated before use, completion of this column is not required (see instructions for column 2).

*Column 2.*—If intake water is treated before use, provide value for treated water.

*Column 3.*—Supply daily average value for the days when discharge is actually operating or is expected to be operating (a new discharge). Daily average values are to be computed by weighting the daily value in proportion to the daily flow. If a discharge occurs irregularly, the value supplied in the column marked "Daily Average" should represent an average for the days the discharge actually occurs. Average values are not to be supplied for pH, specific conductance, and bacteriological parameters (e.g., coliform bacteria).

*Columns 4 and 5.*—Supply minimum and maximum value observed (or expected for new discharge) over any one day when the discharge is operating.

*Column 6.*—Specify the average frequency of analysis for each parameter as number analyses per number of days (e.g., "3/7" is equivalent to three analyses performed every 7 days). If continuous, enter "CONT". When analyses are conducted on more than one individual grab sample collected during the same day, the analysis frequency should be reported as one analysis whose value is the average of the individual grab sample measurements. Average frequency should be based on an operating month.

*Column 7.*—Specify the number of analyses performed at the average frequency specified in column 6, up to 365.

*Column 8.*—Specify sample type as follows:

G For grab sample (individual sample collected in less than 15 minutes).

#C For composite sample "C" is to be replaced by the average number of hours over which the composite sample was collected. Composite samples are combinations of individual samples obtained at intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant volume samples) is inversely proportional to the flow rates over the time period used to produce the composite.

NA If "CONT" was entered in column 6.

*Analytical methods.*—Appendix A contains all parameters with their reporting levels, test descriptions, and references. The parameter values can be determined either by use of one of the standard analytical methods as described in table A or by methods previously approved by the EPA Regional Administrator or Director of a federally approved State program (or their authorized representatives) which has jurisdiction over the State in which the discharge occurs. If the test used is not one shown in table A, the test procedure should be referenced in "Remarks" or on a separate sheet. If values are determined to be less than the detectable limit (as determined by references on standard analytical techniques and/or instrument manufacturer's literature), specify "LT (value of detectable limit)" in the appropriate space. For example, if the detectable limit is .005 mg/l and quantities of less than this are determined, specify "LT .005". Do not enter descriptors such as "NIL", "TRACE", "NEG.", etc., for this purpose. If it is certain that one or more of the required parameters is not present in the initial untreated or treated process water and/or the discharge, enter an "A" (meaning "absent") in the appropriate space.

In order for values reported to be representative, it is recommended that they be based on from five to seven analyses of composite samples (if applicable). Each of the composite samples should be obtained by compositing frequent samples in proportion to flow over an operating day. Samples should be taken during period of maximum production, if possible. If samples are taken at periods of less than maximum production, state in "Remarks" the percent of maximum production that was obtained during the sampling period.

*Storm water transport system.*—A separate collection system of pipes that convey runoffs from buildings and land caused by precipitation.

A system of drains and appurtenances for conveying the runoff from street surfaces caused by precipitation.

*Combined sanitary and storm water transport system.*—A system of pipes which carry a mixture of storm water runoff, surface water runoff, and other wastewater such as domestic or industrial wastewater.

*Surface impoundment with no effluent.*—A manmade holding pond or basin large enough to contain all wastes discharged which allows evaporation without percolation into the ground and has no overflow.

*Underground percolation.*—The movement or flow of water through the interstices or the pores of the soil or other porous medium.

*Well injection.*—This code is to be used for injection of wastes into a well.

*Waste acceptance firm.*—A company which collects stored wastes and conveys them to a central location for treatment or disposal.

**Evaporation.**—The volume of water that is being changed into vapor and lost to the atmosphere.

**Consumption.**—Water that is incorporated into the product or its byproduct during a production process.

10. **Permits, licenses, and applications.**—List all existing permits and licenses or permit and license applications granted by or requested from Federal, interstate, State, or local agencies for any discharge described in this application. Examples: A license to operate a powerplant issued by the Atomic Energy Commission or the Federal Power Commission; a permit to construct issued by the Army Corps of Engineers; a permit to discharge issued by a State water control office.

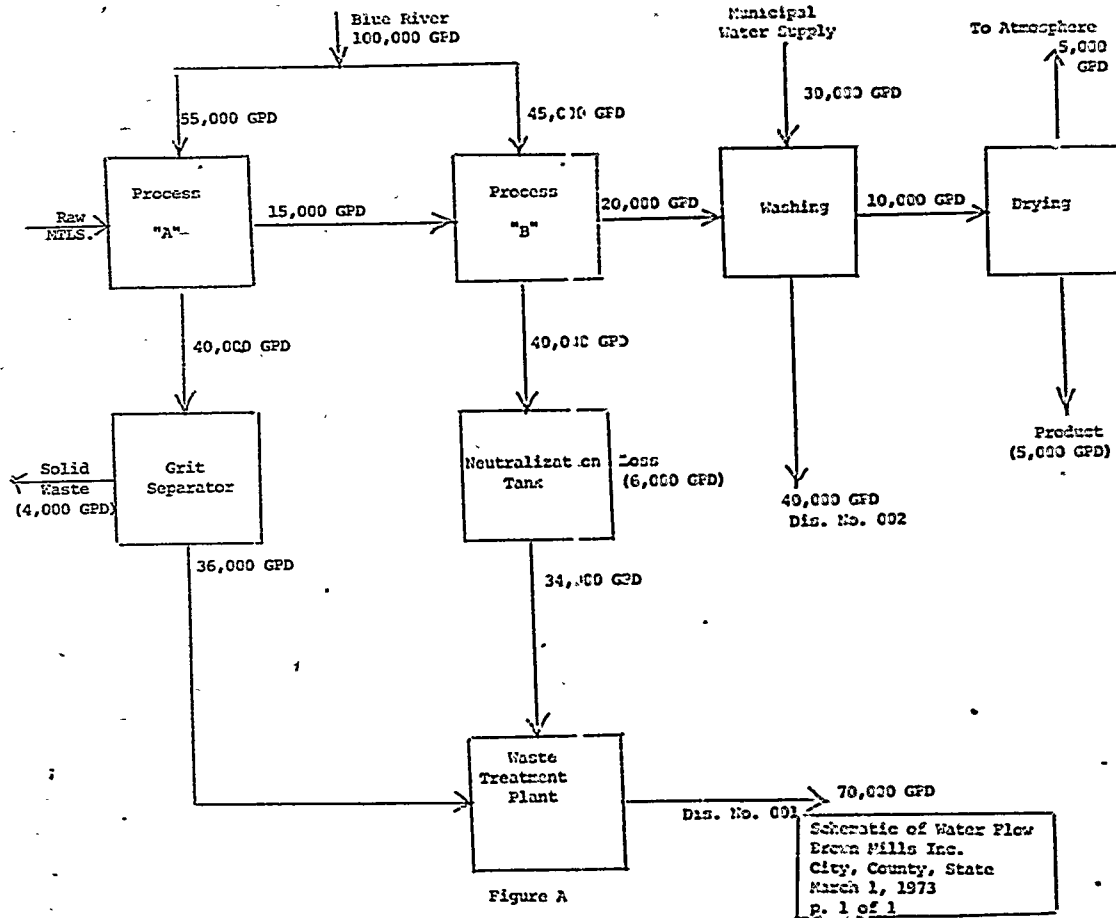
11. **Required maps and drawings.**—A "schematic of water flow" and a "location map" are required with this application. All maps and drawings must be either on tracing linen, vellum, or heavy tracing paper. All sheets must be 8½ by 11 inches in size measured

from edge to edge with a margin of 1 inch left along the top and along the 11 inch side for binding purposes. A few sheets should be used as necessary to show clearly what is involved. All discharge points should be identified with the discharge serial numbers used in section II of this application. Titles are to be located in the lower right-hand corner. Titles must include applicant's name, facility location, date of drawing, and designation of number of sheets as "page ---- of ----."

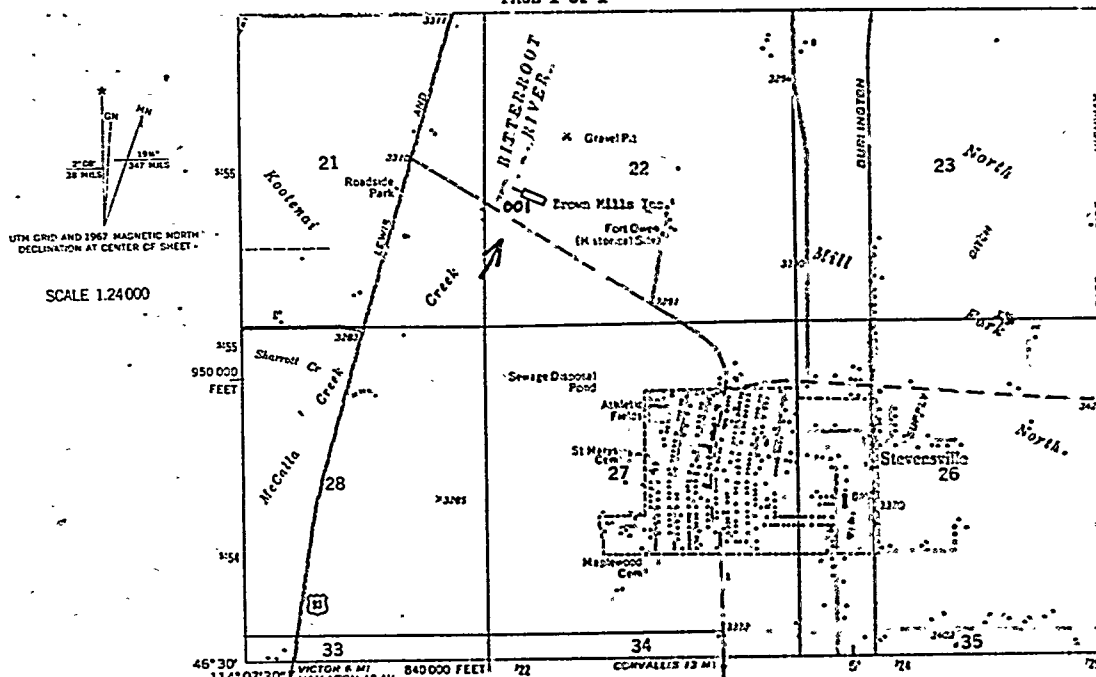
(a) **Schematic of water flow.**—A line drawing of water flow through the facility producing the discharges must be attached to this application. Clearly indicate all intake points and sources. Average flow rates should be shown for various streams if possible. Specific activities and/or processes are to be indicated by blocks of at least 1-inch square. The title is to be headed by the statement "Schematic of Water Flow." An example of the drawing required is shown in figure A.

(b) **Location map.**—A map showing the lo-

cation of each discharge structure, including any and all outfall devices, dispersive devices, and nonstructural points of discharge, must be attached to this application. All maps must be drawn to scale and the scale shown. The usual meridian arrow showing north must be shown at the top of each sheet. The direction of river flow is to be indicated by a suitable arrow. Maps may be traced from a Coast Survey, Lake Survey, or Geological Survey chart, road map, or other general map and must bear a note showing the number and title of such map or chart (e.g., "Traced from U.S. Coast Survey Chart 273."). The name of the waterway and the names of the towns and prominent points are to be placed on this map and identified. The location of each existing and proposed discharge structure must be clearly identified using the discharge serial number specified in section II of this application. The title is to be headed by the statement "Location Map." An example of the location map is shown in figure B.



"LOCATION MAP"  
FROM U.S. GEOLOGICAL SURVEY MAP, 1961  
BROWN MILLS INC.  
CITY, COUNTY, STATE  
MARCH 9, 1972  
PAGE 1 of 1







# SEC. II—BASIC DISCHARGE DESCRIPTION MANUFACTURING AND COMMERCIAL

1.a. *Discharge serial number.*—Assign a three-digit number beginning with 001 for the point of discharge covered by the first description. Discharge serial numbers must be consecutive for each additional discharge described; hence, the second serial number should be 002, the third 003, etc. Enter this number at the top of each page of section II in the space provided.

b. *Discharge point name.*—Give the name, if any, of the discharge point which distinguishes it from all other discharge points from the facility, e.g., Main Street Outfall; Mill Creek Pipe.

c. *Previous discharge serial number.*—If application for a National or Federal permit was made previously for this discharge (see item 4, section I), supply the serial number assigned for this discharge.

3. *Engineering report.*—An engineering report assembles basic information; presents design criteria and assumptions; examines alternate project with preliminary layouts and cost estimates and offers a conclusion with a proposed project for client consideration. This document provides a technical basis for detailed design and preparation of construction plans and specifications.

If an engineering report was prepared on the facility producing this discharge, check the box provided and list in item 26 all such reports and indicate where they are available for inspection by the reviewing office.

5. *Discharge point description.*—See instructions for section I, item 9 for definitions of terms.

7. *Name of waterway.*—Use the name of the waterway by which it is usually designated on published maps of the area; if possible, refer to one of the map series published by the U.S. Geological Survey. When the discharge is to an unnamed tributary, please so state and give the name of the first body of water fed by that tributary which is named on the map, e.g., unnamed ditch to Vaughan Creek; unnamed arroyo to Serpent River, where Serpent River is the first body of water that is named on the map and is reached by the discharge.

9. *Type of discharge.*—A continuous discharge is one which occurs without interruption throughout the operating hours of the facility. An intermittent discharge is a discharge that occurs and ceases at regular or irregular intervals, either during or outside of the operating hours of the facility.

a. Check discharge type.

b. Enter number of days per week the discharge is occurring.

12. *Maximum flow period.*—This item refers to a discharge occurring at intervals and lasting for periods of weeks or months. During this period, the discharge may be continuous or intermittent. Example of such a discharge is a cannery that operates only during the summer months.

13. *Description of activity.*—Provide a separate narrative description for each specific activity or process causing this discharge. Descriptions should be as concise as possible. Example: "Manufacture of sulfur acid by contact process."

14. *SIC code.*—Report the standard industrial classification (SIC) code(s) which identifies the activity actually causing the discharge. These may differ from the SIC code describing the overall activity of the facility. For example, if an aircraft manufacturer (SIC 3721) is discharging wastes for an electroplating process (SIC 3471), SIC Code 3471 should be entered.

If discharge is from a separate cooling water and/or steam generation system, use SIC 4930.

Standard industrial classification (SIC) code numbers and descriptions may be found in the 1972 edition of the "Standard Industrial Classification Manual" prepared by the Executive Office of the President, Office of Management and Budget, which is available from the Government Printing Office, Washington, D.C. Do not use previous editions of the manual.

Copies are also available for reference at your State Water Pollution Control Office, Regional Offices of the Environmental Protection Agency, and at most public libraries.

*Raw material/product produced.*—For each SIC number listed, specify either the principal product or the principal raw material and the maximum quantity per day produced or consumed at heaviest product mix.

Figures are to be reported in the units of measurement given in table I for the particular SIC categories that are listed. Enter the letter-number code from the "Code" column in table I for the units selected in the appropriate "Units" box of item 14. Other SIC categories should use the units of measurement normally used by that industry.

For discharges which are composed solely of domestic waste, use SIC 4952 and report under 14a. Raw material. Under column labeled "Maximum amount/day" enter the estimated number of people contributing to this discharge.

*Shared discharges.*—If the wastewater from this process also contributes to another discharge(s), indicate the other discharge(s) point(s) by their discharge serial number(s) under the column labeled "Shared discharges." If none, enter "None." Separate each serial number by a comma. If part of the waste stream goes to a municipal treatment facility, indicate by entering "MUN" in place of the discharge serial number.

Example:

## A. RAW MATERIALS

SIC Code	Name	Maximum Amount/Day	Units (See Table I)	Shared Discharges (serial number)
2911..	Crude Oil...	10,000	S-1.....	004, 005

15. *Waste abatement practices.*—a. Provide in this space a brief narrative description of the waste abatement practices currently in use which affect this discharge. Describe those process changes in raw materials, recycling methods, wastewater treatment equipment, and other techniques employed that result in waste abatement for this discharge.

b. Describe the wastewater abatement procedures for this discharge using the alphabetic codes for abatement practices listed in table II. List the codes in the sequence in which the wastewater abatement procedures are applied for this discharge.

16. *Wastewater characteristics.*—Presence or absence of a wastewater constituent should be based on any previous analysis performed or based on knowledge of the activities and/or processes causing this discharge. For example, if zinc is used in a process from which there is a discharge, the box next to zinc should be checked unless it is known from actual analysis conducted previously that zinc is not present in the effluent. Do not check the box for substances present in the discharge at trace levels (such as normally found in drinking water).

17. *Description of intake and discharge.*—For each of the parameters listed, enter in the appropriate box the value or code letter

answer required. Values must be representative of the discharge during its last year of operation or represent best engineering estimates for proposed discharges. Detailed instructions for completing particular columns are provided below.

Each parameter has been assigned units as specified on the form. If you choose to use different units, follow the directions below:

a. To report flow in million gallons per day (MGD) line out number 00056 and insert 50050 below the printed number.

b. To report temperature in degrees centigrade, line out the printed numbers and insert 74026 below the printed numbers for winter and 74025 for summer.

*Column 1. Untreated intake water.*—If intake water is from a navigable water, its tributary, private well, or other source of ground water, the value for the incoming water before treatment must be entered. If intake water is from a different body of water than the receiving water, give the type (tributary, well, etc.) of this intake source in "Additional Information" (item 26). If water is treated prior to use, completion of column 1 is not required (see instructions for column 2).

Give the daily average value of the intake water at the point it enters the facility. If intake water for this discharge is from more than one source, and enters the facility at separate entry points, supply the total average daily flow from all sources. Also, supply type and flow for each source in item 26. Daily average intake values for the remaining parameters should be the weighted average proportional to the quantity of flow contributed from each source.

*Column 2. In-plant treated intake water.*—If intake water is treated before use, provide value for treated water.

**NOTE:** The quantity of intake flow should only reflect the amount contributing to this discharge. If this is impossible to determine and the influent contributes to more than one discharge, specify at the bottom of the table (page ----) the serial number(s) (separated by commas) of discharge(s) to which this influent contributes.

*Column 3. Daily average.*—Supply daily average value for the days when discharge is actually operating or is expected to be operating (for a new discharge). Daily average values are to be computed by weighting the daily value in proportion to the daily flow. If a discharge occurs irregularly, the value supplied in the column marked "Daily Average" should represent an average for the days the discharge actually occurs. Average values are not to be supplied for pH, specific conductance, and bacteriological parameters (e.g., coliform bacteria).

*Columns 4 and 5. Minimum values, maximum values.*—Supply minimum and maximum values observed (or expected for new discharges) over any one day when the discharge is operating.

*Column 6. Frequency of analysis.*—Specify the average frequency of analysis for each parameter as number of analyses per number of days (e.g., "3/7" is equivalent to three analyses performed every 7 days). If continuous, enter "CONT". When analyses are conducted on more than one individual grab sample collected during the same day, the analysis frequency should be reported as one analysis whose value is the average of the individual grab sample measurements. Average frequency should be based on an operating month.

*Column 7. Number of analyses.*—Specify the number of analyses performed during the past year of operation at the average frequency specified in column 6 up to 365.

Column 8. Sample type. Specify sample type as follows:

G For gram sample (individual sample collected in less than 15 minutes).  
 #C For composite. "C" is to be replaced by the average number of hours over which the composite sample was collected. Composite samples are combinations of individual samples obtained at intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates or the sampling interval (for constant-volume samples) is inversely proportional to the flow rates over the time period used to produce the composite.

NA If "CONT" was entered in column 6. Analytical methods.—Appendix A contains all parameters with their reporting levels, test descriptions and references. The parameter values can be determined either by use of one of the standard analytical methods as described in table A or by methods previously approved by the EPA Regional Administrator or Director of a federally approved State program (or their authorized representatives) which has jurisdiction over the State in which the discharge occurs. If the test used is not one shown in table A, the test procedure should be referenced in item 26 or on a separate sheet. If values are determined to be less than the detectable limit (as determined by references on standard analytical techniques and/or instrument manufacturer's literature), specify "LT (value or detectable limit)" in the appropriate space. For example, if the detectable limit is .005 mg/l and quantities of less than this are determined, specify "LT .005". Do not enter descriptors such as "NIL," "TRACE," "NEG," etc., for this purpose. If it is certain that one or more of the required parameters is not present in the initial untreated or treated process water and/or the discharge, enter "A" (meaning "absent") in the appropriate space.

In order for values reported to be representative, it is recommended that they be based on five to seven analyses of composite samples (if applicable) which have been composited over an operating day. Samples should be taken during period of maximum production, if possible. If samples are taken at periods of less than maximum production, state in item 26 the percent of maximum production that was obtained during the sampling period.

19. Water treatment. d. Chemical composition.—The chemical composition may be taken from the manufacturer's label or literature. If this is done, so state.

20. Thermal discharge source.—If several of the sources listed are present in an installation and result in discharges from more than one point, a separate copy of section II must be completed for each discharge point. If several discharge sources are combined to result in a discharge from one point, only one copy or section II need be completed.

22. Discharge temperature, rate of change per hour.—If the temperature of this discharge is subject to abrupt change, give the maximum rate at which change occurs. Compute the change rate by dividing the discharge temperature change by the time, in hours, over which the change occurs. For example, if the discharge temperature drops from 80° to 70° F over a 5-hour period, the rate is

$$\frac{80^{\circ}\text{F} - 70^{\circ}\text{F}}{5\text{ hours}} = 2^{\circ}\text{F/hour.}$$

#### SEC. III—WASTE ABATEMENT REQUIREMENTS AND IMPLEMENTATION (CONSTRUCTION) SCHEDULE

1. Improvements—authority imposing—Locally developed plan.—A schedule developed at the county or municipal or Federal facility level.

oped at the county or municipal or Federal facility level.

Areawide plan.—A schedule developed by a metropolitan authority or other agency formed by local or municipal governments, e.g., Greater Washington area.

Basin plan.—A schedule developed by a river basin commission, or other body having authority over a watershed area, e.g., Delaware River Basin, Potomac River Basin.

State approved implementation schedule.—A plan imposed to achieve compliance with State water quality standards for intrastate waters or by a permit or equivalent document issued by a State water pollution control agency.

Federal approved water quality standards implementation plan.—A schedule imposed to achieve compliance with water quality standards approved by the Environmental Protection Agency or by its predecessors, the Federal Water Quality Administration and the Federal Water Pollution Control Administration.

Federal enforcement procedure or action.—A schedule imposed by an enforcement conference held under section 10(a) of the Federal Water Pollution Control Act prior to the date of enactment of the FWPCA amendments of 1972.

State court order.—A schedule imposed in an order or settlement issued or approved by a State court of law.

Federal court order.—A schedule imposed

in an order or settlement issued or approved by a court of the United States.

2. Implementation schedule.—Supply the following dates as they are applicable to the implementation schedule (plan) being described:

a. Preliminary plan approval.—The date the preliminary engineering plans are to be submitted.

b. Final plan submission.—The date the final engineering plans are to be submitted.

c. Final plan approval.—The date the final engineering plans are to be approved.

d. Financing complete.—The date all financing arrangements are to be completed.

e. Site acquired.—The date the land to be used for the treatment works is to be acquired.

f. Begin action (e.g., construction).—The date the action to be implemented is scheduled to begin.

g. End action (e.g., end construction).—The date the action to be implemented is scheduled to be completed.

h. Begin discharge.—The date the discharge is scheduled to start operating after the action has been completed.

i. Operational level attained.—The date the effluent level is scheduled to meet the conditions imposed by the implementation plan.

3. Actual completion.—Supply actual completion dates for those steps of the implementation schedule which have been completed.

TABLE I—UNITS OF MEASUREMENT BY SIC CODE (INDUSTRY) (TO BE USED FOR ITEM 14, SECTION II)

SIC Code(s)	Code	Units of measurement	Industry
201; 2077	A-1	Pound live weight killed (meatpacking in slaughterhouse or packinghouse; poultry processing).	Meat products.
	A-2	Pound product (slaughtering and rendering; processing).	
	A-3	Pound raw material (rendering in off-site plant).	
202; 5143	B-1	1,000 lb milk equivalent.	Dairy products.
2033; 2034; 2037; 2038	C-1	Ton raw material.	Canned and preserved fruits and vegetables.
204	D-1	1,000 bushels processed.	Grain mill products.
2061	E-1	Ton sugarcane ground.	Raw cane sugar.
2062	E-2	Ton raw sugar processed.	Cane sugar refining.
2063	E-3	Ton beets sliced.	Beet sugar.
2077	F-1	See SIC 201.	
2084	F-2	Ton grapes pressed.	Wines, brandy, and brandy spirits.
		1,000 gallons wine (table wine, for process season only).	
2085	F-3	1,000 bushels grain processed.	Distilled liquor, except brandy.
2086	F-4	1,000 standard cases.	Bottled and canned soft drinks.
2091; 2092	G-1	Ton raw material.	Seafoods.
22	H-1	1,000 lb raw material.	Textile mill.
		or	
2421	H-2	1,000 lb product.	Products.
2435; 2436	I-1	1,000 fbm.	Sawmills and planing mills.
2491	I-2	1,000 ft <sup>3</sup> on three-eighths inch basis.	Veneer and plywood.
2492	I-3	1,000 ft <sup>3</sup> treated.	Wood preserving.
26	I-4	1,000 ft <sup>3</sup> on a three-fourths inch basis.	Particle board.
2812; 2816; 2819	J-1	Ton product.	Paper and allied products.
2821; 2823; 2824; 2831; 3079	K-1	Ton product.	Inorganic chemicals.
	L-1	1,000 lb product.	Plastic materials and synthetic industry.
2822	M-1	1,000 lb rubber produced.	Synthetic rubber (vulcanizable elastomers).
283	N-1	1,000 lb raw material.	Drugs and pharmaceuticals.
2841	O-1, O-2	1,000 lb product or 1,000 gal product.	Soap and detergents.
2865; 2869	P-1	1,000 lb product.	Organic chemicals.
2873; 2874; 2875	Q-1	1,000 ton product.	Fertilizer industry.
2879	R-1	1,000 lb product.	Agricultural chemical and pesticides.
2891		See SIC 2821.	
2911	S-1	1,000 bbl crude or partially refined feed stock (stream day).	Petroleum refining.
3011; 3021; 3031; 3041; 3069	T-1	1,000 lb raw material.	Rubber products.
3111	U-1	1,000 lb green salted hides or pickled skins.	Leather tanning and finishing.
3211; 3231	V-1, V-2	1,000 ton product or 1,000 ft <sup>3</sup> mirrored surface (for mirrored glass only).	Flat glass and glass products made from purchased glass.
3241	V-3	1,000 bbl product.	Hydraulic cement.
327	V-4	1,000 ton product.	Concrete, gypsum, and plaster products.
3292	V-5	1,000 ton asbestos used.	Asbestos products.
331	W-1	Ton dry coal.	Coke making.
	W-2	Ton hot metal.	Blast furnaces.
	W-3	Ton liquid steel.	Steelworks.
	W-4	Ton hot formed steel.	Hot forming.
	W-5	Ton processed steel.	Rolling and finishing mills.
332	W-6	Ton metal cast.	Iron and steel foundries.
333	X-1	1,000 lb metal product.	Primary smelting and refining of non-ferrous metals.

SIC Code(s)	Code	Units of measurement	Industry
334-----	X-2-----	1,000 lb metal product-----	Secondary smelting and refining of non ferrous metals.
335-----	X-3-----	1,000 lb metal processed-----	Rolling, drawing, and extruding of non-ferrous metals.
336-----	X-4-----	1,000 lb metal cast-----	Nonferrous foundries.
3465; 3711; 3714-----	Y-1, Y-2-----	Unit production or ft. <sup>3</sup> -----	Automobile manufacturing.
4911; 4931-----	Z-1-----	1,000 Mwd generated-----	Electric power services.
4961-----	Z-2-----	1 million lb steam produced-----	Steam supply.

TABLE II—WASTE TREATMENT PROCESS CODES

## 1. IN-PLANT CONTROL MEASURES

*E Series—Engineering Design Considerations*

ESEPAR—Installation of separate drainage systems.  
 ESEGRL—Segregation and collection of specific wastes.  
 ESURFA—Use of surface condensers in place of barometric condensers.  
 EMERGE—Emergency storage facilities.  
 ECOUNT—Countercurrent use of chemicals and/or wash waters.  
 EPUMPS—Use of pumps and valves with special seals to minimize leakage.  
 EOTHER—Other.

*D Series—Process Design Modifications*

DREACT—Use of reaction chemicals or feed stocks producing minimum waste.  
 DCHEMI—Chemical regeneration.  
 DDOWNG—Downgraded use of chemicals.  
 DELIMT—Elimination of air blowing and water washing.  
 DEHYSIC—Physical separators.  
 DCHANG—Change in design basis for chemical recovery facilities.  
 DSTOPD—Elimination of discharge.  
 DOTHER—Other.

*R Series—Recovery & Utilization*

RECOVE—Recovery of material for reuse in process.  
 RDOWNG—Downgraded use of spent chemicals in other processes.  
 RUSEOR—Use or sale of wastes as raw material for other processes.  
 RECYCL—Recycle or reuse of water.  
 RHEATR—Heat recovery.  
 REVAPO—Multieffect evaporators.  
 ROTHER—Other.

*L Series—Local Pretreatment or Disposal*

LOCALS—Local separators and traps.  
 LEVAPO—Evaporation and incineration of noxious liquid wastes.  
 LUSEOF—Use of emulsion prevention chemicals.  
 LOTHER—Other.

*O Series—Operation Control*

OMONIT—Monitoring sewer effluents.  
 OOTHER—Other.

## 2. WASTEWATER TREATMENT UNIT OPERATIONS

*P Series—Physical Treatment*

PEQUAL—Equalization.  
 PSCREE—Screening.  
 PAERAT—Preaeration.

PSEDIM—Sedimentation.  
 PFLOAT—Flotation.  
 PTEMPPL—Temperature control.  
 PSKIMC—Skimming and clarification.  
 PSEPAR—Separation (API separator).  
 PAIRSG—Air stripping.  
 PSTRIIP—Steam stripping.  
 PSANDE—Sand filtration.  
 PDIATO—Diatomite filtration.  
 PMIXED—Mixed media filtration.  
 POTHER—Other.

*C Series—Chemical Treatment*

CNEUTR—Neutralization.  
 CCOAGU—Chemical coagulation.  
 CPHADJ—pH adjustment (other than neutralization).  
 CODORO—Odor control.  
 CNUTRI—Nutrient addition.  
 CFLOCC—Flocculation.  
 CMTDRO—Chemical hydrolysis (use NaOH to hydrolyze to urea to NE3 then apply steam stripping).  
 CGLDIS—Chlorine disinfection.  
 CODISN—Other disinfection.  
 COTHER—Other.

*B Series—Biological Treatment*

BSTABI—Stabilization pond (facultative).  
 BACTIV—Activated sludge (all modifications).  
 BTRICK—Trickling filter.  
 BAERAT—Aerated lagoon.  
 BANERO—Anaerobic contact.  
 BAPOND—Anaerobic pond.  
 BDENIT—Denitrification.  
 BNUTRI—Biological nitrification.  
 BPOLIS—Polishing lagoon.  
 BROTAT—Rotating biological contractor.  
 BHYDRO—Biological hydrolysis (urea to NH3).  
 BOTHER—Other.

*S Series—Sludge Handling*

STHICK—Thickening.  
 SLAGOO—Lagooning or drying bed.  
 SCENTR—Centrifugation.  
 SVACUM—Vacuum filtration.  
 SDRYCO—Dry combustion.  
 SWETCO—Wet combustion.  
 SLANDD—Land disposal.  
 SEADIS—Sea disposal.  
 SANAER—Anaerobic digestion.  
 SAEROB—Aerobic digestion.  
 SPRESS—Filter press.  
 SOTHER—Other.

## 3. ADVANCED WASTE TREATMENT

*T Series—Temperature Change Process*

TEVAPO—Evaporation.  
 TFREEZ—Freezing.

TDISTI—Distillation.  
 TEUTEC—Eutectic freezing.  
 TWETOX—Wet oxidation.  
 TPROCE—Process residue, handling and disposal.  
 TOTHER—Other.

*M Series—Miscellaneous*

MADSOR—Adsorption.  
 MELECT—Electrodialysis.  
 MIONOX—Ion exchange.  
 MSOLVE—Solvent extraction.  
 MREVER—Reverse osmosis.  
 MFOAMI—Foaming.  
 MTREAT—Electrochemical treatment.  
 MPOSTA—Post aeration.  
 MUNDIS—Discharge to municipal waste treatment facility.  
 MOTHER—Other.

## 4. NO WASTE ABATEMENT PRACTICE

NONONE—None.

## APPENDIX A—STANDARD ANALYTICAL METHODS (INTERIM)

(To be used with Item 17, section II, and the "Additional Required Information" form.) The following tables are to be used as a guide in reporting the data concerning each parameter. The first column of each table "PARAMETER & UNITS," indicates the preferred units for reporting data for a given parameter. The second column, "METHOD," lists the preferred analytical method (if any) for determining the required parameter values. The next three columns, "REFERENCES," give the page numbers in standard reference works where a detailed description of the recommended analytical technique given under "METHOD" can be found. These standard references are:

1. Standard Methods for the Examination of Water and Wastewaters, 13th Edition, 1971, American Public Health Association, New York, N.Y. 10019.

2. A.S.T.M. Standards, Part 23, Water; Atmospheric Analysis, 1972, American Society for Testing and Materials, Philadelphia, Pa. 19103.

3. EPA Methods for Chemical Analysis of Water and Wastes, April 1971, Environmental Protection Agency, Water Quality Office, Analytical Quality Control Laboratory, NERC, Cincinnati, Ohio 45268.

Copies of the publications are available from the above sources, or for review in the Regional Offices of the Environmental Protection Agency or the State Water Control Board.

The last column, "Data Reporting Level," indicates that nearest significant figure (digit) to which the data must be reported. For example, the figure X. for chloride indicates that chloride data must be reported to the nearest whole milligram per liter, and that it is not necessary to report in fractional milligrams per liter. This level should not be confused with "detectable limits"; applicable detection limit information can be obtained from the appropriate reference source.

TOTAL METAL CONTENT		TABLE A. (continued)			
Parameter • Units	Method	References			Data Reporting Level
		Standard Methods 13th Ed. 1971	A.S.T.M. Standards P. 23 1972	EPA Methods 1971	
ALUMINUM TOTAL mg/liter 01105	Atomic Absorption Spectrophotometer	P. 57	-	P. 90	.XXX
ANTIMONY TOTAL mg/liter 01092	Atomic Absorption Spectrophotometer	-	-	P. 83	.XXX
ARSENIC TOTAL ** mg/liter 01002	Silver Diethylthio- Carbazate or Atomic Absorption Spectrophoto- meter	P. 62	-	P. 13 P. 99	.XXX
BARIUM TOTAL ** mg/liter 01007	Atomic Absorption Spectrophotometer	P. 66	-	P. 83	.XXX
BISMUTH TOTAL ** mg/liter 01012	Aluminum or Atomic Absorption Spectrophotometer	P. 67	-	P. 83	.XXX
BORON TOTAL ** mg/liter 01022	Carbazole, Carbazine or Potentiometric	P. 69	-	P. 83	.XXX
CADMIUM TOTAL ** mg/liter 01027	Atomic Absorption Spectrophotometer or Colorimetric	P. 422	P. 692	P. 101	.XXX
CALCIUM TOTAL ** mg/liter 00916	EDTA Titration or Atomic Absorption Spectrophotometer or Colorimetric	P. 84	P. 692	P. 102	.X
CHROMIUM TOTAL ** mg/liter 01034	Atomic Absorption Spectrophotometer or Colorimetric	P. 426	P. 692	P. 104	.XXX
COPPER TOTAL ** mg/liter 01037	Atomic Absorption Spectrophotometer	-	P. 692	P. 83	.XXX
CORROSION ** mg/liter 01042	Atomic Absorption Spectrophotometer or Colorimetric	P. 430	P. 692	P. 106	.XXX
COBALT TOTAL ** mg/liter 01045	Atomic Absorption Spectrophotometer or Colorimetric	P. 433	P. 692	P. 103	.XXX
LEAD TOTAL ** mg/liter 01051	Atomic Absorption Spectrophotometer or Colorimetric	P. 435	P. 692	P. 110	.XXX
MANGANESE TOTAL ** mg/liter 00927	Atomic Absorption Spectrophotometer or Colorimetric	P. 416	P. 692	P. 112	.X
MANGANESE TOTAL ** mg/liter 01053	Atomic Absorption Spectrophotometer	-	P. 692	P. 114	.XXX

\*\* See Note 2 at end of Table

\*\* See Note 2 at end of Table

CHEMICAL PROPERTIES						TABLE A.	
Parameter Units	Method	References			Data Reporting Level		
		Standard Methods 13th Ed. 1971	A.S.T.M. Standards P. 13-1972	EPA Methods 1971			
ANTIMONY As 85% mg/liter 00310	Titration-Electrode or Autoclaved Induct- ively Coupled Plasma Atomic Emission Spec- trometry	p. 370	p. 143	p. 6 p. 8	x.		
ARSENIC As 85% mg/liter 00310	Modified Hinkler or Inductively Coupled Plasma Atomic Emission Spectrometry	p. 489	p. 618	p. 15	x.		
BARIUM Ba 85% mg/liter 00310	Dichromate Reflux	p. 495	p. 219	p. 17	x.		
BISMUTH Bi 85% mg/liter 00310	Gravimetric, 105°C.	p. 535	-	p. 260	x.		
BORON B 85% mg/liter 00500	Glass Fiber Filtration 120°C.	-	-	p. 275	x.		
BROMINE Br 85% mg/liter 00530	Glass Fiber Filtration 105-105°C.	p. 537	-	p. 278	x.		
CADMIUM Cd 85% mg/liter 00530	Gravimetric Method 550°C.	p. 536	-	p. 242	x.		
CALCIUM Ca 85% mg/liter 00505	Inductively Coupled Plasma Atomic Emission Spectrometry	p. 539	-	-	x.		
CHROMIUM Cr 85% mg/liter 00610	Distillation-Distillation or Autoclaved Induct- ively Coupled Plasma Atomic Emission Spec- trometry	-	-	p. 154 p. 141	.xx		
COPPER Cu 85% mg/liter 00625	Digestion-Distillation or Autoclaved Induct- ively Coupled Plasma Atomic Emission Spec- trometry	p. 469	-	p. 149 p. 157	.x		
CORROSION mg/liter 00620	Inductively Coupled Plasma Atomic Emission Spectrometry or Cadmium Reduction	p. 461	p. 124	p. 175	.xx		
COBALT Co 85% mg/liter 00665	Persulfate Digestion or Inductively Coupled Plasma Atomic Emission Spectrometry	p. 526	-	p. 246 p. 235 p. 259	.xx		
LEAD Pb 85% mg/liter 00425	Volumetric-color or Electrode End Point	p. 370	p. 143	p. 6	x.		
MANGANESE Mn 85% mg/liter 00480	Combustion-Infrared Method	p. 257	p. 702	p. 221	.x		
MANGANESE Mn 85% mg/liter 00000	EDTA Titration-Autoclaved Inductively Coupled Plasma Atomic Emission Spectrometry	p. 179	p. 169	p. 76 p. 78	x.		
MANGANESE Mn 85% mg/liter 00015	Distillation-Inductively Coupled Plasma Atomic Emission Spectrometry	p. 468	p. 228	p. 195	.xx		

CHEMICAL PARAMETERS							TABLE A. (Continued)	
Parameter Units	Method	References			Data Reporting Level			
		Standard Methods 13th Ed. 1971	A.S.T.M. Standards Pt. 23 1972	EPA Methods 1971				
Residual Amine Nitrogen mg/liter 00605	Kjeldahl Nitrogen minus Ammonia (N)	p. 460	-	p. 149	.X			
Ortho-phosphoric acid (as P) mg/l 70507	Direct Single Reagent, Automated Colorimetric- Single Reagent or Stannous Chloride	p. 532	p. 42	p. 235, p. 259	.XX			
Sulfate (as SO <sub>4</sub> ) mg/l 00945	Turbidimetric or Automated Colorimetric-Barium Chromate	p. 314	p. 52	p. 286 p. 288	.X			
Permanganate mg/l 00745	Thiocyanate-Iodide, Ethylene Blue Color Patch or Methylene Blue Colorimetric	p. 551	-	p. 294	.X			
Iron (as Fe) mg/l 00740	Iodide-Iodate Titration	p. 317	p. 261	-	.X			
Barium mg/l 71670	Colorimetric	p. 75	p. 214	-	.X			
Copper mg/l 00940	Mercuric Nitrate or Pluized Colorimetric- ferrie, thiocyanate	p. 37	p. 21	p. 231	.X			
Cyanide mg/l 00720	Distillation-Silver Nitrate Titration or Pyridine Pyrazolone Colorimetric	p. 404	p. 556	p. 41	.XX			
Nitrogen mg/l 00951	Distillation-Silver Nitrate or Electrode	p. 171	p. 201	p. 64 p. 66 p. 71	.X			
Chlorine-total residual mg/liter 30260	Spectrometric or Colorimetric	p. 107	-	-	.X			
Oil and Grease mg/l 00550	Liquid-Liquid Extraction	p. 254	-	-	.X			
Fluoride mg/liter 72111	Colorimetric-Ascorbic Acid	p. 502	p. 445	p. 232	.XXX			
Phenolics mg/l 30260	Relating Blue Indicator	p. 519	p. 619	p. 131	.XX			
Alkalinity* mg/l 74051	Specific Method used in "Remarks"	-	-	-	.XXX			
Chlorinated organic com- pounds (except pesticides) mg/l 74052	Specific Method used in "Remarks"	-	-	-	.XXX			
Pesticides* mg/liter 74053	Specific Method used in "Remarks"	-	-	-	.XXX			

\*See Note 1 at end of Table

TOTAL METAL CONTENT TABLE A. (Cont'd)						
Parameter Units	Method	References			Data Reporting Level	
		Standard Methods 13th Ed. 1971	A.S.T.M. Standards PL 23 1972	EPA Methods 1971		
Fluoride mg/liter 01007	Fluoride-Spectrophotometric or Atomic Absorption (See note at end of table)	p. 443	p. 692	p. 83	.XXX	
Iron mg/liter 01067	Colorimetric or Atomic Absorption (See note at end of table)	p. 205 p. 203	p. 326	p. 115	.X	
Phosphoric acid mg/liter 00957	Colorimetric or Atomic Absorption	p. 206	-	p. 271	.XXX	
Barium mg/liter 01147	Atomic Absorption Spectrophotometer	p. 309	-	p. 117	.XXX	
Copper mg/liter 00929	Flame Photometric or Atomic Absorption Spectrophotometer	p. 317	p. 326	p. 110	.XXX	
Fluoride mg/liter 01039	Atomic Absorption Spectrophotometer (See note at end of table)	-	-	p. 83	.XXX	
Iron mg/liter 01102	Atomic Absorption Spectrophotometer (See note at end of table)	-	-	p. 83	.XXX	
Phosphoric acid mg/liter 01152	Atomic Absorption Spectrophotometer (See note at end of table)	-	-	p. 83	.XXX	
Barium mg/liter 01097	Colorimetric, or Atomic Absorption Spectrophotometer	p. 444 p. 211	p. 692	p. 124	.XXX	

\*\*See Note 2 at end of Table

PHYSICAL AND BIOLOGICAL PARAMETERS TABLE A (continued)						
PARAMETERS & UNITS	METHODS	References			DATA REPORTING LEVEL	
		STANDARD METHODS 13th ED. 1971	A.S.T.M. STANDARDS PT. 23 1972	EPA METHODS 1971		
COLOR (Pt-Co units) 00080	PLATINUM-COBALT VISUAL	P. 160	--	P. 38	X.	
SPECIFIC CONDUCTANCE (micromhos/cm at 25°C) 00095	WHEATSTONE BRIDGE	P. 323	P. 163	P. 284	X.	
TURBIDITY (Jackson units) 00070	TURBIDIMETER	P. 577	P. 467	P. 308	X.	
FECAL STREPTOCOCCI BACTERIA number/100 ml 74054	SPECIFY METHOD USED IN "REMARKS"	P. 688	--	--	X.	
COLIFORM BACTERIA, FECAL number/100 ml 74055	SPECIFY METHOD USED IN "REMARKS"	P. 669 P. 684	--	--	X.	
COLIFORM BACTERIA, TOTAL number/100 ml 74056	SPECIFY METHOD USED IN "REMARKS"	P. 664 P. 679	--	--	X.	

RADIOACTIVE PARAMETERS TABLE A (continued)				
TYPE OF RADIATION	REFERENCES		DATA REPORTING LEVEL	
	STANDARD METHODS 13th ED. 1971	A.S.T.M. STANDARDS PT. 23 1972		
ALPHA-TOTAL picocurie/liter 01501	P. 598	P. 509	X.	
ALPHA COUNTING ERROR picocurie/liter 01502	P. 598	P. 512	X.	
BETA-TOTAL picocurie/liter 03501	P. 598	P. 473	X.	
BETA COUNTING ERROR picocurie/liter 03502	P. 598	P. 478	X.	

NOTE 1.—\*Interim procedures for algicides, chlorinated organic compounds, and pesticides can be obtained from the Analytical Quality Control Laboratory, National Environmental Research Center, Cincinnati, Ohio 45268, or from the Regional Offices of the Environmental Protection Agency.

NOTE 2.—\*\*For the determination of total metals the sample is not filtered before processing. Choose a volume of sample appropriate for the expected level of metals. If much suspended material is present, as little as 50–100 ml of well-mixed sample will most probably be sufficient. (The sample volume required may also vary proportionally with the number of metals to be determined.)

Transfer a representative aliquot of the well-mixed sample to a Griffin beaker and add 3 ml of concentrated distilled  $\text{HNO}_3$ . Place the beaker on a hotplate and evaporate to dryness making certain that the sample does not boil. Cool the beaker and add another

3 ml portion of distilled concentrated  $\text{HNO}_3$ . Cover the beaker with a watch glass and return to the hotplate. Increase the temperature of the hotplate so that a gentle reflux action occurs. Continue heating, adding additional acid as necessary until the digestion is complete, generally indicated by a light-colored residue. Add sufficient distilled 1:1  $\text{HCl}$  and again warm the beaker to dissolve the residue. Wash down the beaker walls and watch glass with distilled water and filter the sample to remove silicates and other insoluble material that could clog the atomizer. Adjust the volume to some predetermined value based on the expected metal concentrations. The sample is now ready for analysis. Concentrations so determined shall be reported as "total." STORET parameter numbers for reporting this type of data have been assigned and are given for each metal.

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